*De non temerandis Eccleſiis,*

# CHVRCHES
## NOT TO BE
# VIOLATED.

A Tract of the Rights and Reſpects due unto CHURCHES.

Written to a Gentleman, who having an appropriate Parſonage, imployed the Church to prophane uſes, and left the Pariſhioners uncertainly provided of Divine Service in a Pariſh there adjoyning.

*Written by*

Sir HENRY SPELMAN Knight.

*The fourth Edition.*

OXFORD,
Printed by *H. Hall*, for *Amos Curteyn*. 1668.

SPELMAN de non temerandis Ecclesiis.

UMI

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## *To the Reader.*

ALL the veſſels of the Kings Houſe are not Gold, or Silver, or for uſes of *Honour*. Some be common ſtuffe, and for mean ſervices, yet profitable. Of the firſt ſort, I am ſure this *Tract* is not. Whether of the other or no, I leave that to thy judgment. To deal plainly, my ſelf have no great opinion of it; as finding my own imperfections, and writing it onely upon a private occaſion to a private friend, without curious obſervation of matter or method. But having al-



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ſo written a *greater work* (much of the ſame argument) and intending to publiſh, or ſuppreſs it, as I ſee cauſe; I thought it not unfit (upon ſome incouragement) to ſend this forth (like a *Pinneſs* or *Poſt of Advice*) to make a diſcovery of the *Coaſt*, before I adventure my greater *Ship*. If I receive good advertiſement, I ſhall grow the bolder. Howſoever, take this, I pray thee, as it is: and let my *zeale* to the cauſe, excuſe me in medling with matters beyond my ſtrength.

*H. S.*

## A Letter ſhewing the occaſion of this Treatiſe, to the worſhipful his moſt loving Uncle, Fr: Sa: &c.

*My good Uncle, the ſpeeches that paſt caſually between us at our laſt parting, have run often ſince in my mind; and ſo (perhaps) have they done in yours. You complained (as God would have it) that you were much croſt in the building you were in hand with, upon a piece of Glebe of your* Appropriate Parſonage *at* Congham. *I anſwered, that I thought God was not pleaſed with it, inſomuch as it tended to the defrauding of the Church, adding (amongſt ſome other words) that I held it utterly unlawful to keep* Appropriate Parſonages from the Church, &c.

*But our talk proceeding, I perceived, that as God had alwaies his portion in your heart, ſo in this, though it concerned your profit, you ſeemed tractable. It much rejoiced me, and therefore apprehending the occaſion, I will be bold to adde a continuance to that happy mo-*

*tion, (so I trust, both you and I shall have cause to terme it,) and besides, to give you some tribute of the love and duty I long have ought you. Therefore (good Uncle) as your heart hath happily conceived these blessed sparks, so in the name and blessing of God, cherish and inflame them. No doubt they are kindled from heaven, like the fire of the Altar, and are sent unto you from God himself, to be a light to you in your old dayes, (when your bodily eyes fail you) to guide your feet into the way of peace, that is, the way and place from whence they came. So alwaies I pray for you, and rest,*

Westminst.
Aug. 17. 1613.

Your loving and
faithful Nephew

HENRY SPELMAN.

AN

# An account of the worth of this Treatiſe, taken out of the Epiſtle to Sr. Henry Spelman's Hiſtory of *Tithes*.

*If any demand what ſucceſs the labours of this worthy Knight found among the Gentlemen of* Norfolk, *and other places, where he lived long in very great eſteem, and publickly imploied alwaies by his Prince and Countrey in all the principal offices of dignitie and credit, it is very obſervable to alleadg ſome particular teſtimonies worthie to be recorded to poſterity, and with all honour to their names, who were perſwaded preſently upon the reading of this Treatiſe, to reſtore and render back unto God what was due unto him.*

*And firſt the worthy Knight practiſed according to his own rule: for having an Impropriation in his eſtate, viz.* Middleton *in* Norfolk, *he took a courſe to diſpoſe of it for the*

*the augmentation of the Vicarage, and alſo ſome addition to* Congham, *a ſmall living near unto it: Himſelf never put up any of the rent, but diſpoſed of it by the aſſiſtance of a reverend Divine his neighbour M.* Thorowgood, *to whom he gave power to augment the Vicar's portion, which hath been performed carefully: and having a ſurpluſage in his hands, he waits an opportunity to purchaſe the Appropriation of* Congham, *to be added to the Miniſter there, where himſelf is Lord and Patron.*

*Next Sr.* Ralph Hare *Knight, his ancient and worthy friend in that Country, upon reading of this Book, offered to reſtore a good Parſonage, which onely he had in his eſtate, performing it preſently, and procuring licence from the King; and alſo gave the perpetual Advowſon to Saint* Johns *Colledge in* Cambridge, *that his heirs might not afterwards revoke his grant: wherein he was a treble benefactor to the Church: and the Colledge hath deſervedly honoured his memory with a Monument of thankfulneſs in their Library, and alſo wrot a reſpective letter of acknowledgment*

*ledgment to this excellent Knight, to whom they knew ſome part of the thanks to be due, for his pious advice and direction.*

*Sir* Roger Townſend, *a religious and very learned Knight, of great eſtate in that County, reſtored three Impropriations to the Church, beſides many ſingular expreſſions of great reſpect to the Clergy, having had a great part of his education together with Sr* John Spelman, (*a Gentleman of incomparable worth*) *eldeſt ſon to* Sr. Henry, *and by his directions both attained great perfection and abilities.*

*The like I have underſtood of others in that Country, but cannot certainly relate their names, and all particulars at this preſent, that Shire abounding with eminent Gentlemen of ſingular deſerts, piety, and learning, beſides other ornaments, as* Cambden *obſerveth of them.*

*In other parts diverſe have been moved with his reaſons to make like reſtitution, whereof I will mention ſome: as Sir* William Dodington *Knight of* Hampſhire, *a very religious Gentleman, reſtored no leſſe then ſix*

*Impro-*

*Impropriations out of his own eſtate, to the full value of ſix hundred pounds yearly, and more.*

Richard Knightley *of* Northamptonſhire *lately deceaſed, reſtored two Impropriations,* Fanſley *and* Preſton, *being a Gentleman much addicted to works of piety, charity, and advancement of learning, and ſhewing great reſpect to the Clergy.*

*The right honourable* Baptiſt *Lord* Hicks *Viſcount* Campden, *beſides many charitable works of great expence to Hoſpitals and Churches, as I find printed in a Catalogue of them in the Survey of* London, *reſtored and purchaſed many Impropriations.*

1. He *reſtored one in* Pembrokeſhire, *which coſt* 460l.

2. *One in* Northumberland, *which coſt* 760l.

3. *One in* Durham, *which coſt* 366l.

4. *Another in* Dorſetſhire, *which coſt* 760l.

*He redeemed certain Chantry lands, which coſt* 240l. *And gave penſions to two Miniſters, which coſt* 80l. *Beſides Legacies to ſeveral Miniſters.—— The particulars are*

*more*

*more fully recited in the Survay, to which I referre,* pag. 761.

Ms Ellen Goulston, *Relict of* Theodore Goulston *Dr. of Physick, a very learned man, being possessed of the Impropriate Parsonage of* Bardwell *in* Suffolk, *did first procure from the King leave to annex the same to the Vicarage, and to make it presentative, and having formerly the donation of the Vicarage, she gave them both thus annexed freely to* St Johns *Colledge in* Oxon: *expressing many godly reasons in a pious letter of her grant, to advance the glory of God to her power, &c. Thus with devout prayers for a blessing from God upon those which should be chosen Rectors there, she commendeth the deeds and conveyances of the Parsonage for ever to the Colledge.*

*The Right honourable Lo:* Scudamore, *Viscount* Slego, *hath very piously restored much to some Vicarages in* Herefordshire, *whereof yet I cannot relate particulars fully.*

*Diverse Colledges in* Oxon, *having been anciently possessed of Impropriations, have of late*

*late years taken a course to reserve a good portion of their Tithe corn from their Tenants, thereby to increase the Vicars maintenance: so that the best learned Divines are willing to accept the Livings, and yet the Colledge is not diminished in rents, but looseth only some part of their Fine, when the Tenants come to renew their Leases.*

*In particular,* Christ-church *in* Oxon: *hath been very careful in this kind. Likewise* New *Colledge,* Magdalen *Coll: and* Queens *Coll: have done the like upon their Impropriations, and some others have made augmentations also.*

*Certain Bishops also have done the like; as* Dr. Morton, *whiles he was Bishop of* Lichfield, *did abate a good part of his Fine to increase the portion of the Minister in the Vicarage of* Pitchley *in* Northamptonshire, *belonging to his Bishoprick: and so did his successor Dr.* Wright, *for the Vicarage of* Torcester *also in the same shire: which was very piously done, considering what great Lands and Manours were taken away from that Bishoprick among others, and some Im-*

*priations*

*propriations given in lieu of them.*

*And while Sir* Hen. Sp. *lived, there came ſome unto him almoſt every Terme at* London *to conſult with him, how they might legally reſtore and diſpoſe of their Impropriations to the benefit of the Church: to whom he gave advice as he was beſt able, according to their particular caſes and inquiries; and there wanted not others, that thanked him for his book, promiſing that they would never purchaſe any ſuch appropriate Parſonages to augment their Eſtates.*

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TO

# To the READER.

READER, this ſmall Treatiſe was 30 years ſince written and publiſhed by my Father now deceaſed, his intent was to diſſwade a prophanation of Churches, and to perſwade a reſtitution of Tithes and Impropriations to the Church: wherein although he was not ſo happy as with Saint *Peter* at once to convert thouſands, yet was he not with him ſo inſucceſsful, as to fiſh all night and catch nothing: for ſome were perſwaded with what is written, nor can I ſay that others believed not, but rather think, that like the young man in the Goſpel, they went heavy away, becauſe they had too great poſſeſſions to reſtore.

Miſchiefs are with more eaſe prevented then cured, men ſooner diſſwaded from a reception, then perſwaded to a reſtitution. While therefore the great diſſolution of *Biſhopricks* and *Deanaries* is onely threatned not acted, I have cauſed a reimpreſſion of this Tract, hoping that (as at firſt) it will find ſome believers, and the rather,

because written long since by one, no *Levite*, himself and children as his Ancestors meer Lay-men, not having nor hoping for any Ecclesiastical preferment, and therefore I am confident he took his motives solely from the dictates of Religion and conscience, himself practising what he would perswade thee. I know thy argument for retaining Impropriations, Abbeys, &c. is, the Law hath made them Lay-fees; thou didst legally buy them, and therefore may'st lawfully keep them.

I confesse our Statutes of Dissolution have changed the course of the Fee, from a politick succession to a natural descent; and unhappily put a Layman into the Priests place. But tell me if any Statute or humane Law doth, or can take away the Dedication or the Consecration of Abbeys, Monasteries &c. discharge or annull the interest which God and his Church hath in them, and for which they were founded, as that hospitality, sick and feeble men may be maintained, Almes given, and other charitable deeds be done, and prayers be there said, as is declared in the Statute 35. *Edw.* 1.* or can any Statute divert, and dispence with the many and heavy curses of the Church, upon the violators of Church liberties, to which the whole Kingdom hath not onely cried Amen, but by act of Parliament hath enjoyned the Bishops to curse the violators. If these be not re-

* 35. *Edw.* 1. *ca.* 1.

moved,

moved, then remain they ſtill dedicated, ſtill conſecrated to God; and then ſeek and ſatisfie thy ſelf, whether thou having the Appropriation and Tithes, but as the Abbot had them, and receiving the profit as the Abbot did, art not as the Abbot, tyed in Law and Conſcience, or one of them to perform the duties: for that he was, appears by the opinion of all Judges* 18. *Eliz.* where it is ſaid by the Judges, that none is capable of an appropriation (for ſo the the Law calls them) but onely Bodies politick, not natural; and the reaſon is, becauſe he that hath the Appropriation, is to be perpetual incumbent, which a natural body, that muſt dye, could not be. And that body politick (to have the rectory, the glebe, and tithes,) muſt be Spiritual, not Lay. For in that he is made Parſon (ſaith the Book) he hath the cure of the ſouls of the Pariſhioners, and therefore muſt be ſpiritual, for by the ſame reaſon that a Patron cannot preſent a Layman to his Church, by the ſame reaſon a Lay-man cannot be an Appropriator: for they are both Parſons of the Church: the preſented Parſon for life, the Appropriator for ever. And therefore *Plowden*† ſaith, that the Appropriator, be he Abbot or Prior &c. is as fully incumbent Parſon, as if he had been preſented, inſtituted, and inducted: and, as Parſon, ſhall have his Actions, and that he that is duely made Parſon,

* *Plow. fol.* 496. † *& fol.* 500.

is thereby made poſſeſſor of the Parſonage, for the ſpiritual office, attracts the poſſeſſions of the things belonging to the Office, & in that he is Parſon, he receives the Tithes not as granted to him, but as things annexed to the Office of a Parſon. And Tithes are frequently in our Common Law termed ſpiritual things, becauſe annex'd to the ſpiritual Office. By theſe Books & reſolutions of the Judges it is clear, that the Appropriator was the incumbent Parſon, and had the cure of the ſouls of the Pariſhioners, & that upon the preſentation of the Appropriator, or upon the diſſolution of the Abbey, the Church became void, & preſentative, as other Churches upon reſignation, or death of the incumbent.

For appropriations (as thou now ſeeſt) were but Parſonages with cures of ſouls, annex'd & appropriated to a particular Abbey, or Religious houſe. For when their Fraternities became numerous, & their annual charge greater then their yearly revenue, providence to provide for their family made them think how to increaſe their income: and themſelves being Patrons of many rich Parſonages, obteined ſeverally (as occaſion ſerved) licence from the King, & conſent from the Ordinary to annex or appropriate that Parſonage to their Abbot, & his ſucceſſors for ever, whereby they became perpetual incumbent Parſon, & anciently did

a *Plow. fol.* 33. 35.

duely

duely officiate the Cure by one of their Fraternity, until the Statute of [a]*Rich* 2. prohibited the appropriating any Church, unles a Vicar be conveniently endowed by the discretion of the Ordinary to do divine Service, and keep hospitality: & the Statute of [b]4. *Hen.* 4. ordained, that no Religious, (as Monks & Fryers were) should be made Vicars to any Church appropriated, but Seculars (as our Ministers now be canonically instituted, and inducted. Upon these Statutes it will concern the owners of Churches appropriated since 15. *Rich* 2. to see, that out of the profits of the Church a convenient summe of money be yearly paid to the poor Parishioners, & a Vicar indowed as the Statute of the [c] 15. of *R.* 2. appoints, or else the Stat. [d] 4. *H.* 4. avoids the appropriation, and then the Church becomes again presentative.

But some will object, that impropriate Churches with their oblations and Tithes (the fat of impropriations) are made Lay & Temporal, and, as Lay and Temporal things, disposable at the will of the owner. a doctrine which so neerly concerns the estates and livelihood of so many men in this kingdom, as I shall not averre the contrary, lest some *Demetrius* with his fellowes tumult a-

a 15. *Ric.* 2. *ca.* 6. b 4. *H.* 4. *ca.* 12. c 15. *Ric.* 2. *ca.* 6. d 4. *H.* 4. *ch.* 12.

about it, yet give me leave to offer thee some opposite considerations, but leave them, and their result to thy judgment and conscience.

Consider first, that while God saith, that *ye have robbed me of my Tithes and offerings*, God claimes the Title and interest of them to be in him, not in the Priest nor in the Levite, they being but the *usu-fructuarii*, God the owner.

Remember too, that our Statutes * have declared Tithes to be due to God & holy Church, and thy withdrawing thy Tythes a neglecting thy duty to Almighty God: and then consider, that if the Tithes be Gods, it matters not whether his title be by divine right, (as our [a] Law and Lawyers, not to press that with the resolution of Councels and opinions of Canonists, Fathers, and Divines, quoted by the Author, have taken them to be,) or by humane Constitution; for what Statute, what Law, can conclude God, or bind his right? Then weigh how the King (from whom thou claimest) had the Tithes thou hast, and to what intent he had them.

The Statute of 27 *H.*8. gives the King the smaller Abbies and houses of Religion with their Ap-

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* 27. *H.*8. *ca.* 20. 32. *H.*8. *ca.*7.

a *Dier.* 28, *H.*8. *fo.*43. Tithes are due by the law of God. *ex debito Co.*2. *Winchest.* case. *fo.*45. *b.* tithes are due by divine right.

propriations

propriations and Tithes. To the greater, *H.* 8. makes his title by grant and ſurrender of the Abbots, Priors: which between the 27 and 31. *H.* 8. had been laboured by *Cromwell*; with ſome he prevailed by intreaty and good Annuities, with others by the Kings power and Sword: for the Abbots of [a] *Glaſſenbury*, [b] *Reading*, and [c] *Colcheſter*, whoſe innocency had made them regardleſſe of Threats, and their piety abhorre rewards to betray their Churches; were therefore (ſaith *Godwin*) tendred the oath of [d] Supremacy, which they refuſing, are, as enemies to the State, condemned and hanged; others terrified by their examples, leave all to the diſpoſe of the King, who not reſting on that title, procures the ſtatute of 31. *H.* 8.

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a *R. Whiting.* b *Hugh Farringdon.* c *John Bech. Gooodw.* 167.

d There was no oath of Supremacy, until 1 *Eliz.* but theſe that denied *H.* 8. to be ſupreme head of the Church, were indicted upon the ſtatute 26. *H.* 8. *c.* 12. ſince repealed, for that they *malitiosè optantes, deſiderantes, & volentes deprivare Dominum regem de dignitate, titulo, & nomine ſtatus ſui regal.* Said, that the King was not ſupreme Head of the Church. And upon this were *Fiſher* Biſhop of *Rocheſter*, Sir *Thomas More*, *Exmew*, and divers others indicted, convicted, and executed, by virtue of a commiſſion of *Oyer* and *Terminer*, directed to *Audley* Lord Chancellour, the Duke of *Suffolk*, and other Lords, and all the Judges, as appears by the Reports under the hand of Sir *John Spelman*, who was then a Judge of the Kings bench.

c. 13. which reciting (how truely do thou judge) the *Grants, Surrenders*, &c. *to have been freely, voluntarily, and without compulsion;* gives all the Religious houſes, with their appurtenances and Tithes, to the King, his heirs, and Succeſſors (as the Statute 27. of *H.* 8. did) *in as large a manner, as the Abbot had the ſame, to diſpoſe thereof at his will and pleaſure* (but) *to the honour and pleaſure of Almighty God:* nor is there any one word either in this Statute of the 31. or that of 27. *H.* 8. to alter or change the primitive nature and uſe of Tithes, And therefore the ſtatute of the 32. *H.* 8. calls the withdrawing of thy Tithes whether propriate or impropriate, a neglecting of thy duty to Almighty God, thereby inferring, that the Tithes are ſtill due to God.

Conſider, that thy impropriate Tithes are yet even in Law called Eccleſiaſtick, and ſolely recoverable in the Eccleſiaſtical Courts; and that the Statute of 2. *Ed.* 6. gives one and the ſame remedy both for the preſentative, and impropriate Tithe, and therefore muſt make both, or neither, Lay and Temporal.

Inquire too, whether the Impropriator hath the *Cure of Souls* the Abbot had, (eſpecially where no Vicar is endowed,) if thou doſt find he hath not, know who hath; for the ſheep muſt not be without a ſhepheard, nor he without the milk of the flock.

Learn by what Statute, what Law, the Impro-

priator, if freed of the Cure, is yet tyed to repair the Chancell, as the Abbot did, and as the Abbot, (where no Vicar is endew'd) tyed to provide one to officiate divine Service and Sacraments. If impropriate Tithes be temporal things, why doth the impropriator in all Courts make his title in the Churches right? if lay and temporal, why wear they these Ecclesiastical Badges?

I cannot for my part think, that Statute, which declares Tithes to be *due to God and holy Church*, which directs (among other things, even impropriate Tithes) to be disposed to *the pleasure and honour of Almighty God*, which calls the withdrawing thy impropriate Tithes, *a neglecting of thy duty to Almighty God.* I cannot think, that these Statutes did either alter, or intended to alter the Ecclesiastick primitive nature and use of Tithes, and the rather, because I find that the Lawyers, who likely had the penning of them, did hold Tithes due by divine right, and annex'd to the spiritual office of the Parson, and consequently not alterable. And then thou that justly condemnest this Parson, or that Vicar, for sometimes neglecting his duty, think with thy self what account will be exacted of thee, that receivest the same Salery and wages with the Parson and Vicar, yet dost totally neglect the Duty, and mispendest all the Church revenue upon thy own private occasions, while the Canons of the Apostles would

a 39. Canon. not

not to permit the Bishop to challenge ought to himselfe, or to *dispose among his kindred or friends*, but *to administer them*, *Tanquam Deo intuente*, *to the poor and Fatherlesse*. And consonant to that is that in [a] *Caudris* case in the 5th *Report*, where the Abbot might not *dispend the* [b] *free almes of the Abbey* (much lesse thou Tithes) *upon his secular friend, but in hospitality upon the poor, the Fatherlesse, the Stranger, &c.* and if so, then the Abbots were but Gods trustees, and as his Almners dispenced them to Gods Pentioners, the poor, the Fatherlesse and Widdow. And do thou inquire how thou ha'st them and [d] oughtest to dispose them. For I feare that at the last and generall Audit, thou wilt find them great Cloggs to thy accompt, and in the *interim*, ruines to thy Family; yet I doubt not but thou wilt find probable reasons as well as Law for reteining of Impropriations and Abbies, which thou hast bought, or thy

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a *Cook.* 5. *Report. fol.* 11. *b* Free almes were the rents and revenues, as appears by the Statutes. *E.* 1.24.14. *E.* 3. 17. *c* Sir *Edward Cook*, in his *Magna Charta.* d 649. in his *Comment* upon 2. *Edw.* 6. touching tithes, quotes the Text in *Deut.* 14. and the *Levite* shall come, and the stranger, the fatherlesse, and widow, within thy Gates shall eat thereof. Here is (saith he) the right use whereto tithes should be imployed; and surely had they been lay or temporall, then they, no more then other temporall things are tyed to Ecclesiastique uses. And he wrote long after our Statutes, and best knew the power and operation of them.

Friends

Friends left thee: yet read this enſuing Treatiſe, the reaſons may perſwade thee, if not, with me view the infucceſſe of Sacrilegious perſons.

But before thou canſt judge of Sacrilegious perſons, thou muſt know, what is Sacriledge, for ſuch there is, elſe the Apoſtle erred, who, whilſt thou ſayeſt, *that thou ſhalt not commit Idolatry*, upbraids thee with, *and committeſt thou Sacriledge.*

*Sacriledge* is the diverſion of holy and Eccleſiaſtique things to prophane and ſecular uſe: as *Simeon* and *Levi*, Theft and Sacriledge, be evill Brethren: *Theft* robs thy Neighbour, *Sacriledge* thy God. Tithes are ſo undoubtedly Gods inheritance, as though ſome have curiouſly diſputed his title to them, as how due; yet none but the *Impropriator* denies his right to them, as not due: but *Tithes* and *Impropriations* are the ſubject of the enſuing *Diſcourſe*, therefore I will offer thee my conceipt, how *Abbies* and *Monaſteries* are conſecrated to God, and ought not to be prophaned by ſecular uſe.

It is noted that in all *Ages*, in all *Religions*, the Temples of their Gods were accounted holy, and not to be prophaned by ſecular ſervice: and this being ſo univerſally obſerved in ſeverall *Ages*, in differing *Empires*, contrary *Religions*, it muſt needs be by the Command of the univerſall *Monarch* God.

Reaſon taught a Heathen to conclude, *Quod ab*

*ab omnibus Gentibus obſervatum eſt; id non niſi à Deo ſancitum eſt*: Did God by the Law of Nations teach *Heathens* to keep the Temples of their falſe Gods as ſacred; And doth he not by the ſame Law Command thee a Chriſtian to preſerve his owne holy and unviolated?

The *Devill*, that (to his greater Condemnation) beſt knows God, and is therefore his beſt *Counterfeit*, gets himſelfe among the *Heathen Temples, Prieſts, Oblations*, and to theſe the *Attributes of holy*, and *ſacred*; he knew them to belong to *God* and his *Church*, and therefore, to be like the moſt high, uſurps them to him and his.

The *Devill* knew that the *Temple of God* which ſanctifies the gold that is upon it, muſt needs be *holy* it ſelfe, and *ſanctifie the ground* on which it ſtands, and therefore the *Divell* taught his Diſciples that doctrine, [a] *Licet ædes ſacra Claudii Cæſaris collapſa ſit, religio tamen occupat ſolum.* Profit could not tempt *Trajan* to permit publique baths to be made where once *Cæſars* Temple ſtood, the *holy ground* muſt not be prophaned by ſecular imployment. Yet thou a Chriſtian doſt not ſpare the very *Temple of God himſelfe*. Shall it not (in this point) be eaſier at the laſt day for *Trajan*, then for thee? for if he, a *Heathen* thus eſteemed a *falſe God*, that muſt come to be judged, how would

a Plin. Epiſt. l. 10. ſ. 615.

he

he have reverenced, the *true and everliving God* (had he, as thou) known him? but this only argues, and doth not prove a *ſanctity in Temples.*

But God himſelfe hath told us in [a] *Leviticus*, that *Lands and houſes may be ſanctified to the Lord*, but they are redeemable at the value eſtimated by the *Prieſt*, and a fifth part more. But God there tells us that things *devoted are moſt holy to the Lord* [b], and not redeemable: the reaſon given by Divines is, *becauſe it was given with a Curſe*, and if that be the reaſon; do thou then peruſe the *Charters of Foundations of Monaſteries and Abbies*, and tell me if they be not *devoted and moſt holy to the Lord.* And then, if not redeemable, much leſſe I think to be taken from the Church; without any ſatisfaction, or conſent of the *Prieſts.*

The *Charters* were uſually in theſe words, *Conceſſi Deo & Eccleſiæ &c. offero Deo &c. confirmavi Deo & Eccleſiæ*, and theſe *Grants* have in our *Common Law* been adjudged good and valid; our much reverenced *Magna Charta*, ſo oft confirmed by Parliament, beginneth with *Conceſſimus Deo quod Eccleſia Anglicana libera ſit &c.* and [c] Sir *Edward Cook* in his *Comment* upon it, ſaith, *What is granted for God, is in Law deemed to be granted to God, what is granted for his honour, what*

a Levit. 27. b verſ. 28. c Cook Magna Charta. fol. 2 quod datum Eccleſiæ datum Deo Lib. 6. f. 176. cap. 285.

*what for maintenance of his service of his Religion, is granted to and for God, and that antiently these Grants were good in Law.*

The Capituler of *Charles* the great saith, that the *Dedications* were on this sort, the *Founder* mentioning in a writing all he intended to give, and holding it over the *Altar*, spake thus to the Priest: *I here give unto God all things conteined in this writing, for the remission of my sins* &c. *and for them for whose good God will accept them, and by these to promote Gods service in sacrifice, in Lights, in Sustentation of the Clergy, the Poor, and in all things honourable to God, and profitable to his Church, and if any man shall take these away (which God forbid) let him for his Sacriledge give a most strict account to God, to whom they are now dedicated, now devoted.*

The *Founders* of *Religious houses*, in the conclusion of their *Deed*, following the example of * *Darius*, imprecate a most heavy *Curse* on them that violate or withdraw their gifts, † *Venientibus contra hæc & destruentibus ea occurrat Deus in gladio iræ, & furoris, & vindictæ, & maledictionis æternæ.*

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* *Ezra* 6. 12. And the God that caused his name to dwell there, destroy all Kings and people that put to their hands to alter or destroy this house of God.

† *Apostolatus Benedicti in. in Angl. Apend. secund. f.* 60. 13. *E. 1. ca.* 6.

And

And here is to be remembred that *Abbies* and *Monaſteries* had in them *Churches* and *Chappels* which had from the *Biſhops* and *Clergy* a more particular dedication and conſecration, then from their *Founders*, the *Biſhop* uſing therein much *Almes*, many *Prayers*, and ſome decent *Ceremonies*, and after, even to the *Diſſolution*, the *Sacraments*, were there conſtantly adminiſtred, and our *Anceſtors* had ſo reverent an eſteem of *Churches*, as following the example of *Chriſt*, would not permit *buying* and *ſelling* in the *Church-yard*, but by Parliament prohibit'd it.

Now conſider, that if under the *Leviticall Law*, which in this was morall, and not taken away, the ſingle act of *devoting thy houſe to the Lord*, conferred ſuch a *Sanctity*, ſuch a *Holineſſe* upon it, that it could never be redeemed, but at a fifth part more then the worth, and that valued by the *Prieſt*: ſhall the *Founders gift*, (which was the dedication in the *Leviticall Law*) the *fervent Prayers* and *Interceſſions* of the *Clergie* and *Church*, the long and frequent *adminiſtration of Service* and *Sacraments* under the *Goſpel*, ſhall theſe adde nothing of *Sanctitie*, nothing of *Reverence* to it; But even where thy *Fathers* and *Grandfathers* for many hundreds of yeares reverently on their *knees* received *myſtically* the *Body* and *Blood* of *Chriſt*, there thou (to avoid *ſuperſtition*) doſt ſacrilegiouſly feed thy *Oxe*, and thy *Aſſe*, and not permit-

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ting *Christ*, as at first, to lye between them, but more uncivill then the *Jewish host*, turneſt him out to make roome for them.

But thou wilt say theſe *Abbies*, theſe *Monaſteries* were Founded, and dedicated by *Idolatrous Perſons*, Conſecrated by *Popiſh Biſhops*, and for *ſuperſtitious uſes*, and therefore not *ſacred*, nor acceptable to God.

For the unworthineſſe of their perſons, and their act, conſider *Corah* and his company, who, as God himſelfe ſaith, were *ſinners* againſt their own *Soules*: nor canſt thou thinke the *ſin ſmall*, where thou findeſt their *puniſhment ſo great*; for God ſmites them not as *Uzziah* with *leproſie*, nor with *withered hands* as *Jeroboam*, nor with *death* like *Uzza*, but to make their *puniſhment* anſwerable with their *offence*, God doth a new thing in *Iſrael*, fire from above conſumes theſe; and the earth from beneath, ſwallowes up thoſe men; and although *Moſes* be commanded to ſcatter the fire (*for Civil Magiſtrates may quench the fire of Rebellion*) yet *Aaron* the Eccleſiaſtique hand muſt firſt gather up the *Cenſers*, for they were *holy*, and God gives there the reaſon why *holy*, for ſaith he, *they offered them to the Lord*. And if ſo bad men, by a ſingle, and ſo bad an act, did conſecrate their *Cenſers to the Lord*, needs muſt the *Pious gift* and *charity* of the *Founders*, with the often *Prayers* and *Sacraments* of of the *Church* dayly

uſed

uſed for many yeares, needs muſt they *ſanctifie* the *Church* or *Chappel* where uſed.

While God ſpake once from the [e] *Buſh* to *Moſes*, he Commands him *not to draw nigh*, and yet at that diſtance bids him *put off his ſhoes, for the ground was holy.* And [f] *Joſhua muſt be barefoot while he ſpake with the Captaine of the Lords Hoſt, becauſe the ground was holy.*

Conſider then, that if the places be *holy*, where God ſpake once to *Moſes*, once to the *Captaine of the Lord Hoſt*; needs muſt the *Church* or *Chappell* be *holy*, where God hath ſo often ſpoken to thy *Fathers* in *Sacraments* and *Sermons*, and where they to him ſo often in *Prayer* and *Thanksgiveing*.

If publique *holy actions* doe not *ſanctifie* the place where acted, *David* (though he would not offer to God that which coſt him nought) needed not to buy that which he did not offer; the *Threſhing-floore* of *Araugna*, it had beene ſufficient for *David* to pay for the *Oxen* and *threſhing inſtruments*, that muſt be burnt, not reſtored: The *floore* remained, but not for *Araughna's* uſe, (ſaith a Learned *Divine*) for by *David's* Sacrifice, the *floore* was *devoted and ſanctified to the Lord*, and might not returne to worldly imployment, which *David* knew, and therefore bought it.

But thou wilt ſay, theſe are *Dedications* & *Sanctions* under the *Law*, not under the *Goſpel.* 'Tis true

e Exod: 3. f Joſhua 5.15.

theſe were *Sanctions* under the *Law*, and were *Morall*, not *Ceremoniall*, and therefore remain under the *Goſpel*. Chriſt that ſends thee from the *Altar*, to be reconciled to thy *Brother*, commands thee to leave thy *Guift* behind thee at the *Altar*, and the reaſon given by *Divines* is, *becauſe thou haſt devoted it to the Lord*, the *guift* remaines *holy*, and might not returne to the world; for though thy perſon be not accepted, yet thy *guift* by thy *devoting, is holy to the Lord*, as were the *Cenſers*, in the day of *Corah*.

Thou ſeeſt that *Chriſt*, who would not *Peter* ſhould not ſtrike to reſcue him, his Maſter from violence, yet he himſelf ſtrikes to free the *Temple* from *Sacriledge*; and thou canſt not thinke that *Chriſt* ſtroke this day to preſerve, what he would *aboliſh* the next day, the *Sanction* of the *Temple*.

Do but conſider that of *Ananias* & *Saphirah*, & thou wilt conclude, that the *devoting* any thing to God, is under the *Goſpel*, *a ſanctifying it to the Lord*; and the withdrawing it, muſt then be *Sacriledge*, which was *Ananias* ſin, agreed by all *Divines*, and *Junius* in his notes upon it ſaith, *prædiũ cõſecrâſſẽt Eccleſiæ*, they had *Conſecrated* it to the *Lord*; to conclude, thou canſt not *violate* or *irreverently* uſe a *Church* or *Temple*; but thou muſt diſtrationate S^t *Paul's* argument, who diſſwades the pollution of thy *Body*, becauſe it is the *Temple of the holy Ghoſt*.

Thou mayſt obſerve our Law bookes to have held

held *Tythes* due by *divine right*; our *Parliaments* in their *Statutes* too, have acknowledged *Tythes* due to *God* and *holy Church*, and this both before, and after the *Statutes* of *Diſſolutions*; and that at this day the Law reckons *Tythes* of Impropriate, as well of preſentative *Churches*, to be Eccleſiaſtique things; and if this will not perſwade a reſtitution of ſuch as thou haſt, yet let it diſſwade a reception of more: For I know thou wouldſt not buy a Title litigious between thee, and thy neighbour; and wilt thou that, which (at beſt) is queſtionable between thee and thy God, that muſt judge the Title, and in a Court where thou canſt have no advocate but his *Son*, whom thou wouldſt diſinherit.

Bnt the deſtruction of *Corah* perſwades more with the *Iſraelites*, then the ſoft voice of *Moſes*; and ſuch *Oratory* may take thee, *Hell* hath frighted ſome to *Heaven*; view then the inſucceſſe of *ſacrilegious perſons* in all ages, that will prevaile with thee: for had *Corah* and his *complices* been viſited after the viſitation of other men, thou and I, nay perhaps the whole Congregation of *Iſrael*, would have believed what they ſaid is truth, it ſounded ſo like reaſon; and approved what they did as pious, it looked ſo like *Religion*: but their end otherwiſe inform'd them, and better inſtructed us: I will not trouble thee with preſidents of forraign Nations, as *Bohemia*, the *Palatinat*, and

*Germany*, where under colour of *Reformation*, the ruine of *Monasteries*, and *Religious Houses*, mightily inriched for the present both publique and private *Coffers*, and now the *Ravenous* War hath both exhausted the *wealth*, and almost *unpeopled the Country*; *hoc omen Deus avertat*. I will therefore tye my self to our own Country, and story, unhappily plentiful in miserable examples.

I will begin with *William* the *Conquerer*; In the first year of his raign, he fires by his *Normaines*, St [a] *Peters* Church in *York*. In the 4th, he rifles the [b] *Monasteries*, & about the [c] 18th year of his reign destroyed 36 *Mother Churches* in *Hampshire*, to make his *New-Forrest*; takes all their *Plate*, all their *Treasure*, even the *Chalices*. In the [d] 13th year of his reign, the Son out of his own Loines (*Robert of Normandy*) Rebels against him, and in *Battell* beats his *Father* from his Horse, wounds his *Person*, and (which is worse) his *Honour*. About the 19th year, *Richard* his second (but first beloved) Son, sporting in his Fathers *New-Forrest*, is there strangely killed by the goaring of a Stagge, saith [e] *Speed*, [f] *Cambden* by a pestilent Aire. In the 20th of his reigne, he burnt the City of [g] *Maunts*, and Church of S. *Maries*, with two *Anchorites*; and coming too nigh the flame, the heat of the fire

a *Holl. f.* 7. b *Holl. f.* 8. c *Speed. f.* 429. *Cambd: Brit.* 259.
d *Holl. f.* 12. *Speed.* 428. *Matt: Par. fol.* 10. e *Speed.* 429.
f *Camb.* 259. g *Holl.* 14. *Speed*, 431. *Matth. Par. f.* 13.

and

and his Armes attract a diſeaſe: & his Horſe leaping with him, breaks his *Riders belly*, whereof he dyes; and his *Body* (forſaken of his Nobles and Servants) lyes three dayes neglected, after by the courteſie of a Country Gentleman, his *Corps* is brought to St[a] *Stephens Church* in *Cane* in *Normandy*; but in the paſſage the Town *fires*, and his bearers leave him, and run to quench that; ſo that dead, he goes not quietly to his *Grave*; whither brought at laſt, is there denyed *Buriall*, by one who claimed the ground as his inheritance, forced from him by the *Duke*: all *Ceremonies* ſtay untill a compoſition was made, and an *Annuall* rent (ſaith[b] *Daniell*) paid for his *Grave*, in which before he could be laid, his body ſwelling, burſt to the great annoyance of the Company, he is offenſive dead and living: afterwards the Town being taken by an Enemy, his *Bones*, as unworthy to be inſhrined in a Church, are digged up, and ſcattered like *Chaffe before the wind*; death denies him reſt.

His[c] Grand-Child *Henry* the ſon of *Robert*, hunting in the *New-Forreſt*, is ſtruck through the *Jawes* with a bough of a *Tree*, and like *Abſolom*, found *hanging* in the *thicket of an Oake*. His *Grandchild William* (ſecond Son to *Robert* Duke of *Normandy*) was made Earle of *Flanders*, and in a Warre againſt his Uncle *Henry* the firſt,

a *Speed.*434. b. *Daniel.* 48. *Speed.*429.

received a ſmall [a] *wound* in his *hand*, & thereof dyed the laſt of the *Conquerors* Grandchildren by his eldeſt Son.

*Robert* of *Normandy*, the *Conquerors* eldeſt ſon, diſinherited by his *Father*, is taken [b] *priſoner* by his brother *Henry* the firſt, who puts out both his *Eyes*, and after 26 yeares impriſonment, *Robert* [n] dyes ſtarved in the Goale at *Cardaffe*.

*William Rufus* ſucceeded his Father in his *Crown* and *Curſe*; in his firſt yeare his Nobles [o] *Rebell*, in his ſixth, a great *famine* rageth; and ſuch a *mortalitie*, as the *quick* can ſcarce bury the *dead*. About the [p] 10th yeare of his Reigne, his *Treaſurie* is ſtored by ſale of *Chalices* and *Church-Jewels*. In his 13th yeare, while Sir [q] *Walter Tyrrell* ſhootes at a Deere in the *New-Forreſt*, he kills the *King*, (in the ſame place where a Church ſtood) who dyes (*beaſt* like) not ſpeaking a word.

*Mills* ſaith, the *Arrow* glanced from the Deere, *Speed*, and *Matthew Paris*, from a Tree, and killed the *King*: but both agree his *death* to be (as his *Fathers*) by accident. He dead, his *follow-*

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l *Speed.* 462. *Mac.Par.*71. *Milles lat:*77. m *Stow.* n *Mat. Par.*73. *Speed.*467. o *Speed.*440. *Mat.Par.*14. p *Holl.*22. *Speed.*445. q *Speed.*448. *Mat.Par.*54. *Cervus magnus cum ante eum* (*Regem*) *tranſiret, ait Rex cuidam militi. Wal. Tirrel. trahe Diabole. Exiit ergo telum volatile, & obſtante arbore in obliquum reflexum faciens per medium cordis ſauciavit, qui ſubitò mortuus corruit.*

ers (as did his *Fathers*) leave his *body* and fled: his *Funerals* are as his *Fathers* interrupted: for his [a] *Corps* were laid in a *Collier's cart* drawn by one *silly lean Beast*, (saith the Book,) in his passage the Cart brake in foul and filthy wayes, leaving his *body* a *miserable spectacle, pitifully goared*, and *filthily bemired*: so, as his *Father*, he passeth not quietly to his *Grave*, yet at last he is brought bleeding to *Winchester*, and there buried unlamented. *Speed* saith, his *bones* were after taken up, and laid in a *Coffer* with *Canutus* his *bones*; but there they rest not; for in *December* 1642. *Winchester* being entred by the *Parliaments forces*, the *Organs*, *Windows*, and *Chests*, wherein the *bones* of many our *ancient Kings* were preserved, were by the *fury* of the Souldiers *broken*, and among others *his*, and as his *Fathers*, scattered upon the *face* of the *Earth*, as not worthy *burial*. And this was the third of the *Conqueror's* issue that was *murdered* in the *New Forrest*: where the *Dogs* licked the *blood* of *Naboth*, there they must lick the *blood* of *Ahab*; where the *Sacriledge* was committed, must be the place of the *punishment*.

*Hugh* Earl of *Shrewsbury* 11th. (*Will. Rufus* commanding against the *Welchmen* in *Anglesey*,) kenneled his *Dogs* in the *Church* of S. *Frydance*, where in the morning they were found *mad*: the *Earl* shortly after fighting with the *enemy*, was

a *Mat. Par. ib. Speed.* 449. b *Speed. ibid.*

with an *Arrow* shot [a]*dead* in the *eye*, the rest of his *body* beinst strangely armed.

*Henry* the first, the *Conquerors* fourth *son*, is his brothers *Successor*: he had several *Children*, whereof his eldest *William*, with his brother *Richard*, and Sister *Mary*, in a calme day are [b]*drowned* by the *English Shore*; himself eating *Lampreis* dies on a *surfet*, and being opened, the *stinck* of his *body* and *brains* poyson his *Physitians*; one other of his *Daughters* mourns her *virginity* in a Nunnery, and dies *childlesse*, and in the next Generation is his name forgot: *Plantaginet* takes the Crown.

It is observable, that the *Conqueror*, all his Sons, and all their sons, dyed *untimely deaths*, (unlesse thou reckonest the *Lamprey surfet* of *H.* 2. to be natural,) and what the [c]Author notes of *Nabuc.* and *H8.* is also true of *William* the *Conqueror*, for in the 68. after his *destroying* St. *Peter's* Church at *York*, which was in his second year, his *name* is extinct, and his *Kingdom* is devolved to another Nation, [d] *Plantaginet* takes his *Crown*: and upon search (I fear) thou shalt find very few *Families* (among the many thousands) in *England*, who enjoy their Sacrilegious possessions of *Abbies* and *Impropriations* beyond the 68 year, and very ma-

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a *Holl.* 31. b *M. Par. f.* 69. *Speed* 459. *Holl.* 41. * *M. Par.* 3. *Speed* 467. c *Fol.* 20. *in margine.* d *Speed f.* 46. that of the *Norman* time held 69 years.

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ny that hold them not half the time, and none almoſt but with ſome notable *misfortune.*

I cannot omit the Sacriledg and puniſhment of King *John*, who in the 17th. year of his Raign, among other *Churches*, rifled the *Abbies* of [a] *Peterborough* and *Croyland*; and after attempts to carry his *ſacrilegious wealth* from *Lynne* to *Lincoln*, but paſſing the *Waſhes*, the *Earth* in the midſt of the *waters* opens her *mouth* (as for *Korah* and his company,) and at once *ſwallows* up both *Carts*, *Carriage*, and *Horſes*, all his *Treaſure*, all his *Regalities*, all his *Church ſpoil*, and all the *Church-ſpoilers*, not one [b] eſcapes to bring the *King* word; the *King* himſelf paſſes the *Waſhe* at another place, and lodges that night in *Swinſteed Abbey*, where the *newes* and *ſickneſs* (whereof he dyed) together met him; ſome ſay he was poyſoned by a *Monck* of *Swinſteed.*

*William* [c] *Marſhal* Earl of *Pembroke*, the great *Protector* both of *King* and *Kingdom*, having in the *Iriſh warr* forceably taken from the *Biſhop* of *Furnes* two Mannors belonging to his *Church*, was by him much ſollicited to reſtore them; but the *Earl* refuſing, was by the *Biſhop* excommunicated, and ſo *dying*, was *buried* in the *Temple Church* at *London.* The Biſhop ſues to the King

a *Hol.* 194. *Par. f* 287. b *Matt. Par. fo.* 287. *nec pes unus evaſit, qui regi caſum nuntiaret.* c *Math. Par. fo.* 687.

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to return the *lands*, the *King* requires the *Bishop* to absolve the *Earl*, and both *King* and *Bishop* go to the *Earls grave*; where the *Bishop* in the *Kings* presence used these words: *Oh* William, *which liest here snared in the bonds of Excommunication, if what thou hast injuriously taken from my Church, be with competent satisfaction restored, either by the King, thy heirs, or friend, I then absolve thee; otherwise, I ratifie my sentence, Ut tuis semper peccatis involutus in inferno maneas condemnatus.*

The *King* blames the *Bishops* rigour, and perswades the Sons to a restitution: but the Eldest *William* answered, *He did not believe his Father to have got them unjustly, because possessions got in war, becomes a lawful inheritance. and therefore if the doting old Bishop hath judged falsely, upon his own head be the curse: my Father dyed, seized of them, and I lawfullie inherit them, nor will I lessen my Estate.*

Which the *Bishop* hearing, was more grieved at the Son's contumacy, then the Fathers injury, and going to the King, told him, *Sir, what I have said, stands immutable; the punishment of malefactors is from the Lord: and the curse written in the Psalmes will fall heavie upon Earl* William, *in the next generation shall his name be forgot, and his sons shall not share the blessing of* increase and multiply, *and some of them shall die miserable deaths, and the inheritance of all be dispersed and scattered, and all this my Lord, O King, you shall see even in your daies,*

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With what ſpirit the *Biſhop* ſpake it, do thou judge: for in the ſpace of 25 years, all the five Sons of the *Earl* ſucceſſively, according to their *Birth*, inherit his *Earldom*, and *Lands*, and all dye *childleſſe*, the *name* and *Family* is extinct, and the *Lands* ſcattered and diſperſed; and that nothing might fail of what the Biſhop foretold, [a] *Richard* his ſecond ſon is ſore *wounded*, and taken *priſoner* in *Ireland*, and there dyes of his hurts.

[b] *Gilbert* the third ſon juſting at *Hertford* breaks the *reins* of his *Bridle*, and falling from his *Horſe*, one *foot* hangs in the *ſtirrop*, and he thereby *dragged* about the *field*, till rent and torn, and ſo by a miſerable *death* ſatisfied the *curſe*.

But theſe examples are at too great a diſtance, and not to be diſcerned, but through the perſpective of *Antient Hiſtory*, I will therefore come nigher and view Cardinal *Woolſey*, who from a mean and obſcure root grew to *over-ſhadow* all the ſubjects of *England*, eminent for Wit as Learning, great in the eſteem, and favour of his *Prince*, laden with *home* and *forraign dignities*, full of wealth as years: in brief, he was, while free from *ſacriledge*, the great and ſucceſsful *Counſellour* of his *Prince*, and indeed the *Catalogue* of humane

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a *Matth. Par.* 400. & 403. b *Matt. Par. f.* 565. *Anno Dom.* 1241.

bleſſings:

blessings: but about the 17th. year of *Henry* the 8th. *Woolsey* by consent and licence of the *King* and *Pope Clement* the 7th, [a] dissolves forty small *Monasteries* in *England*, to erect two *Colledges*, the one in *Oxford*, the other in *Ipswich*: Thou and I may think this a work of *Piety*, to destroy the *poor Idolatrous Cells* of *lazie* and *ignorant Moncks*, to erect *stately Cottages* for learned and industrious *Divines*; this God must accept, and prosper both the *Act* and the *Actor*. No, thou art deceived, he that would not that thou shouldest doe evil, that good may come thereof, will not accept an *Offering* commenced by *sacriledge*, in the ruine of 40 *Religious Houses*: *Woolsey* laies the foundation of his *Colledges*, but never sets up their *gates*.

About three years after, the *King* possesseth his *Pallace* at [b] *Westminster*, [*Whitehall*,] the *Great Seal* is taken from *him*, his great *wealth* seised, and *himself* confined to a poor house at *Asher*, where he remained a time (saith [c] *Goodwin*) without necessaries, driven to borrow *furniture* for his *house*, money for his *expences*; so as in his *speech* to the *Judges* he complained, that he was driven as it were to *beg his bread* from *door to door*. 21 *Hen.* 8. he is convicted in a *Premunire*, all his *Lands* and

a *Holl. f.* 891. *Stow. Good. f.* 67. b *Good. f.* 104. *Holl.* 909. c *Good. f.* 106.

*estate*

*Eſtate* ſeiſed by the [a]*King:* his Colledge at *Ipſwich* deſtroyed before built, that at *Oxford* receives ſome indowment, and a new name from the *King*, but is never to be finiſhed. In the 22. *H.* 8. at his *Caſtle* at *Caywood*, he is by the Earl of [b]*Northumberland* arreſted of *High Treaſon*, and ſent towards *London*; at *Leceſter* the Lievtenant of the *Tower* met him, at whoſe ſight he was much affrighted, and to prevent a publick and ignominious death which he feared, he gave himſelf (ſaith [c] *Martin*) a *purge*, [d] *Venenum recepiſſe*, (ſay they that write the lives of the *Popes* and *Cardinals*) whereof he dyed, and was obſcurely buried in *Leceſter Abbey*, without other memory then *his Sacriledge.*

The *Cardinal* in diſſolving his forty *Monaſteries* had uſed the help of five men (beſides *Cromwell,*) whereof two afterwards [e] fought a *Duel*, in which one is *ſlain*, and the ſurviver *hanged* for the *murther*, ſo each dyed guilty of his own and the others *blood*: a third becomes *Judas* like his own executioner; for throwing himſelf into a *well* he is there *drowned*: the fourth, a great *rich man* (to whom nothing is ſo terrible as *Poverty*) lives, to *beg* his bread from *door to door*: the fifth a *Biſhop*

a *Holl.*909. *Good. fol.* 67. *&* 108. b *Holl.*915.
c *Mart.*304.306. d *Hiſt.Pont.Rom. & Card.f.*1408.
e *Good.f.*67.

cruelly

cruelly *murthered* in *Ireland*, by [m] *Thomas Fitz-Garret*, ſon to the Earle of *Kildare*.

I might here remember how *Pope Clement* the 7th after his voluntary conſent to deſtroy *poore Religious Houſes*, is himſelf forced out of his *ſtately Pallace* at *Rome*, and being *beſieged* at *his Caſtle* of S[t] *Angelo*, is there conſtrained to eate *Aſſes fleſh*, and taking ſuch conditions as a *Victorious Enemy* would give, is driven to *plunder* his own *Church* to pay his *Enemies* Army, and at laſt *dies wretchedly* of a miſerable *diſeaſe*: but this is *Forraine*, and I tyed to home examples.

*Thomas Lord Audley*, received the firſt fruits of *H.8.* his *Sacriledge*, for in the 24th year of his *Reign*, the *King* diſſolved (by what means I find not) the *Priory* of *Chriſt-Church* in *London*, and gave, ſaith [o] *Stow*, the *Church Plate*, and *Lands* to Sir *Thomas Audley*, who, upon the diſſolution of *Monaſteries*, got that of S. *James*, in little *Walden* in *Eſſex*, and made it both his Seat, and *Place* of his *Barony*, & after, left it to *Margaret* his *Daughter* and *Heire*, firſt married to *Henry Dudley*, Son to the *Duke* of *Northumberland*, ſlain at St *Quintynes*, and dyed without Iſſue: and after, ſhe was ſecond Wife to *Thomas* Duke of *Norfolke*, who had Iſſue, *Thomas Howard*, created Lord *Walden*, being his *Grandfathers Title*, and to credit

m *Stow: abridg. f.* 498. n *Speed. fol.* 996. *Hiſt. Pont: Rom. & Card:* o *Stow.* 24. *H.* 8.

his

his *Mothers Inheritance* upon the *Scite* of the *Monaſtery* he began a goodly [p] *Structure*, (but attended with the fate of *ſacrilegious foundations*) for that much impaires him, and he never perfects that: he met alſo with other *misfortunes*, which betiding ſo Noble a *Familie*, and yet not publiſhed to the *World*, are fitter for thy *inquirie* then my *Penne*.

*Cardinall Woolſey* being dead, his ſervant *Cromwell* ſucceeds him in his *Court*, *Favour* and *Fate*, as their *births* were alike *obſcure*, their *riſe* alike *eminent*, ſo alike *miſerable* were their *downfall*: wonder not at the firſt part of their *fortune*, but contemplate the later; *Policie* in *Kinge* preferres *able men* to high *places* and *honour*; for *authoritie*, *power* and *eſteeme* of the *Perſons*, advantages their actions, of which wiſe *Princes* reap the *Harveſt*, the *Actors* get but *gleanings*: while the *King* makes *Cromwell* a *Baron*, his *Secretary*, Lord *Privy Seale*, his *Vicegerent* in *Eccleſiaſticis*, he doth but facilitate his owne *great worke* of diſſolving [q] *Monaſteries*, a buſineſſe, wherein *Cromwell* was too much verſed, and unhappily too ſucceſſefull. Report ſpake him a great *Stickler* for the *Proteſtant Religion*, and that although the *Goſpel* had loſt a *Pillar* in Queene *Anne Bullen*, yet was another raiſed in [r] *Cromwell*, for he had cauſed the *Bible*

p *Audley Inne.* q *Speed.* 10.6. r *Speed.* 1016.92.

to

to be read, the *Creed*, *Paternoſter*, and *Ten Commandements*, to be learned in Engliſh, & expounded in every [s] Church: ſome thought that *Cromwell* hoped to bury *Popery* in the ruines of the *Abbies*, and thereby give the better growth to the more pure *Proteſtant Religion*; how pious ſoever his intents were in reforming *Religion*, yet was not the manner of effecting them (it ſeems) acceptable to *Heaven*; for by *Parliament* in the 31 of H.8. he perfected his Diſſolutions, and in *April*, in the 32 of H.8. he is made [t] *Earle* of *Eſſex*, and *Lord Great Chamberlaine* of *England*, high in the *Kings favour* and *eſteeme*, yet inſtantly, while ſitting at the *Counſel-Table*, he is ſuddainly apprehended and ſent to the *Tower*, whence he comes not forth, untill to his [u] *Execution*, for in *Parliament* he is preſently accuſed of *Treaſon* and *Hereſie*, and unheard, is *attainted* Some do obſerve that he [x] *procured* that

[s] *Good. f.* 146. [t] *Holl.* 959. [u] *Goodw. f.* 174. [x] Sir *Edward Cooke*, in his *Juriſdiction of Courts*, *f.* 37. ſaith, *that Sir* Tho. Gaudy, *then a grave Judge of the Kings Bench, after told him, that* Cromwell *was commanded to attend the Chiefe Juſtices, to know whether a man that was forth coming* (as being in priſon) *might be attainted of high Treaſon by Parliament, and not called to anſwer.* The Judges anſwered, *It was a dangerous queſtion, and they thought a Parliament would never do it.* But being by the expreſſe commandement of the King, and they preſſed by the ſaid Earle (*Cromwell Earle of Eſſex*) to anſwer directly, ſaid, *That if he was attainted by Parliament, it could not be queſtioned, whether the Party was called to anſwer or not*; but the Party againſt whom this was intended, (ſaid he) *was never queſtioned, but that the firſt man that ſuffered by that proceeding, was the ſaid* Cromwell himſelfe. Law

Law of *Attainting* by *Parliament*, without hearing the *Partie*, and that *himſelfe* was the firſt, that by that *Law died unheard*, for in *July* following he was thereupon *beheaded*.

Next conſider, that King *Henry* the eighth, who ingroſſed *Sacriledge*, and retailed it to *Poſteritie*, what the *Pope* permitted *Woolſey* (ſaith *Cambden*) H. 8. with the aſſent of his *Parliament*, permits *himſelfe*; the firſt to catch the *Pope*, pretends *charitie*, and *good workes* (*Colledges* ſhall be built) the later to win the Layty in *Parliament* was offered with the *revenue* of *religious houſes* to maintain 40.[y] *Earles*, 60. *Barons*, 300. *Knights*, 40000. *Souldiers*, and for ever eaſe the *Subject* of *Taxes*, and *Subſidies*; both obtained their deſires in diſſolving, neither perform the ends promiſed. *H.* 8. had firſt furthered *Woolſey* in his diſſolution, and thereby found the way to ruine all the reſt.

In the [z] 27[th] yeare of his *Reign*, by *Parliament*, he diſſolves the *leſſer houſes*, and in the [a] 31[th] the *great ones*, in the [b] 37[th] all the *Colledges*, *Hoſpitals*, and *Free-Chappels*, except ſome few, and *poſſeſſeth* all their *lands*, *goods*, and *treaſure*. For the firſt halfe of his *Reigne* (while free from *Sacriledge*) he was *honoured* of his *Allies* abroad, *loved* of his

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y M. *Howes* his Preface to *Stowes Annals*. Sir *Ed. Cooks* Juriſdiction of Courts. *f.* 44. z *Vid.* the ſeverall Acts. 27. *H.* 8. 31. a *H.* 8. b 37. *H.* 8. *c.* 4.



*ſubjects*

*ſubjects* at *home*, ſucceſſefull in his *actions*, and at peace, as it were, with *God* and *Man*; but after his *Sacriledge* (as in diſfavour with both) his *Subjects Rebell*, firſt in *Suffolke*, after in *Lincolne*, *Somerſet*, *Yorkeſhire*, and the *Northerne* parts, as alſo in *Ireland*, ſuch dearth of *Bread* and *Corne* in *England* (the *Granarie* of *Chriſtendome*) that many dye *ſtarved*, which hath not beene ſince the 40. of *H.* 3. And now (like *Saul* forſaken of God) he falls from one ſinne to another. Queene *Katharine* (the Wife of his *Boſome* for 20 yeares) muſt now be put away, the *marriage* declared voyd, and he deſirous of *Sonnes*, rather then *Pillars* to beare his name, marries the Lady [c] *Anne Bullen*, and by her had the Lady *Elizabeth*, and in the 27th of his *Reigne*, a *ſonne* born dead to his great affliction, the 19th of *May* 1536. The 28th of his *Reigne* ſhe is beheaded, and the next day he [d] marries the Lady *Jane Seymore*, who being with Child by him, ſhe (nature unwilling to give birth to the *Sonne* of ſuch a *Father*) wants ſtrength to bring forth: the *Father* Commands [e] her inciſion, and the *Mother* the 12 of *Octob.* dyes to give a ſhort life to her *ſonne*, and the ſixt of *January* in the 31th yeare, the King weds the Lady *Anne* [f] of *Cleve*, & in *July* after is divorced: and in *Auguſt* following he marries

c *Speed. f.* 1040. d *Speed.* 1039. e *Speed.* 1040. f *Speed.* 1039.

the

the Lady *Katharine Howard*,[a] and in *December*, in the 33. of his *Reign*, ſhe is *attainted*, and dies on the *Block*: and in *July*, in the 35th. of his *Reign*, he marries the Lady *Katharine Parre*.* Here's *Wives* enough to have peopled another *Canaan*, had he had *Jacobs bleſſing*; but his threelaſt are *childleſſe*, and the *Children* of the two firſt are by Statute declared[b] *illegitimate*, and not *inheritable* to the *Crown*.

But himſelf growing *aged* and infirme, hopeleſs of more *Children*, and not willing to venture the ſupport of his *Crown* and *Familie* upon a *ſingle*, and ſo *weak* a prop, as was his Son *Prince Edward*; in the[c] 35. year of his Reign he *entailes* the *Crown* upon his *Children*, after his *death* they all ſucceſſively ſway his *Scepter*, and all dye *childleſs*, and his Family is *extinct*, and like *Heroſtratus*, his name not mentioned, but with his *Crimes*. His *Crown* happily deſcends to the *iſſue* of his *eldeſt Siſter*, and a *Forraign Nation* (like *Cyrus* his) fills his *Throne*.

Among the many great and *active men* aiding *H.*8. in his diſſolution of *Monaſteries*, and receiving great reward out of his *Church-ſpoile*, *Charles Brandon*, Duke of *Suffolk* was the *chief*: he had four *wives*; his firſt the daughter of *Nevil*, Mar-

a *Speed.* 1039. * *Ibid.* b 28. *H.*8. *c.*7. c 35. *H.*8. *c.*1.

queſſe *Mounteagle*, who dyed without iſſue. By his ſecond wife he had one Daughter, married to *Stanly*, Lord *Mountague*, but dyed without iſſue. His third wife was *Mary* Queen *Dowager* of *France*, and ſiſter to *Henry* the 8th. by her he had one Son, *Henry*, and two Daughters, *Frances* and *Elianor*. His ſon was created *Earl* of *Lincoln*, but dyed a Child: his Daughter *Frances* married *Gray*, Marqueſſe *Dorſet*, and after Duke of *Suffolk*, who had one ſon *Henry*, who dyed young; *Jane Gray* his eldeſt Daughter married to [a]*Guildford Dudley*, and was with him beheaded about 5. *Mary*. *Katharine* his ſecond Daughter was married to *Edward* Lord *Seymore*, eldeſt ſon to the Duke of *Sommerſet*; *Mary* his third daughter married to *Martin Keyes*, and dyed without iſſue. [b] *Ellenor*, ſecond Daughter to *Charles Brandon*, married to *Clifford* Earle of *Cumberland*, a gallant Family, lately extinct.

The Queen *Dowager* dying, *Charls Brandon* married the Daughter and Heir of the Lord *Willoughby* of *Eresby*, who inriched him with two ſons, *Henry* and *Charles*: but the Duke dying about the 36. of *H.* 8. left his Title and Eſtate to his ſon *Henry*, who enjoyed it untill 5. *E.* 6. then dying of the *Sweating ſicknes*, left them to his Brother [c] *Charles*, who onely lived to be his brothers Heir, and Duke of *Suffolk*; and the ſame

a *Speed.* 1111. *Holl.* 1099. b *God. f.* 244. c *Holl. f.* 1066. *God. f.* 244. *Speed.* 1100.

day, and of the ſame diſeaſe with his brother dyed: and with him the Title, Name, and Family of *Brandon.*

The Statute of *H.*8 *c.* 13. gives the Monaſtery of *Sibeton* in *Suffolk*, to the Duke of *Norfolk*, and the Chauntry of *Cobham* in *Kent*, to the Lord *Cobham*, ſince which time how heavy the *hand of juſtice* hath fallen upon theſe *Noble Families*, inform thy ſelf from our *Annals.*

Conſider next the Duke of *Somerſet*, Protector to *Edward* the ſixth: *Goodwin* in his *Annals* ſaith, [a]*He was a juſt and pious man, a zealous reformer of Religion, a Faithful preſerver of the King and commonwealth, ſave that with the common error of the time, his hands were deep in ſacriledge.* In the firſt year of [b] *Edward* the 6th, he procured the *Diſſolution* of ſome *Chantries*, *Free-chappels*, and *Hoſpitals*, left undiſſolved by *H.*8. In the third year, he permits (if not procures) his Brother *Thomas* Lord *Seymore*, untried, (ſaith [c]*Goodwin*) to be *attainted* by *Parliament*; and ſhortly after (not *unblamed*) ſigned a *Warrant* for his *Execution*, whereupon his Brother loſt his *head*, and he a *Friend.*

The ſame year his *zeal* to *Reformation* adds new *ſacriledge* to his former; for he *defaces* ſome part of St. *Pauls* [d] Church, converts the *Charnel*

a *Goodwin. fo.* 252. b *Stat.* 1. *E.*6. *c.*14. c *Goodwin. fo.* 227. d *Stowes Annals.*

*house*, and a *Chappel* by it, into dwelling *Houses*, and demolishing some *Monuments* there, he turns out the *old bones* to seek new *sepulchers* in the *fields*: next he destroyes the *Steeple*, and part of the Church of St. *Johns* of *Jerusalem* †, by *Smithfield*, and with the *stone* beginneth to build his house in the *Strand*: but as the *leprosie* with the *Jews*, with us the *curse* of *Sacrilege*, cleaves to the *consecrated stone*, and they become *unsuccesful*, so as the *Builder* doth not finish his House, nor doth his *Son* inherit it. In the fifth year of *Edward* the 6th. the Duke was *indicted*, and found guilty of *Felony*, which was (saith *Hollinshead*) upon a statute made the third and fourth of *Edward* the 6th, and since *repealed*: whereby to attempt the death of a *privy counsellour* is *Felonie*, (*Goodwin* saith) upon the statute of 3 *H* 7. but erroniously, that not extending to *Barons*: it is observable, that this *Law* was but the year before passed by himself, and *himself* the onely man that ever *suffered* by it. The statute being since repealed, *Goodwin* observes and wonders, that he omitted to pray the benefit of his *Book*, as if *Heaven* would not, that he that had spoiled his *Church*, should be saved by his *Clergy*: and it is observable, that in the Reign of *Edw.* 6th, none of the Nobility dyes under the *rod of Justice*, but the Duke of *Somerset*, and his Brother the *Lord Admiral*,

† *Stows Annals.* * *Somerset house.* a *Goodw. fol.* 247.

*miral*, all the *Vnckles* the King had: and their Crimes comparatively were not *hainous*.

Did these men dye the common *death* of all men, or are they visited after the *manner* of all men? if not, believe they *provoked the Lord*, and consider, that if they sinned in the first *Prophanation*, thou that continuest their *act*, canst not be *innocent*.

Here thou mayest see God observing a *Decorum* in his *punishment of Sacriledge*. The issue of the *Conqueror* are strangely (almost miraculously) slain in the *New Forrest*, where their Father committed the Sacriledge. *Woolsey*, that by the Kings power and licence had destroyed 40 *Monasteries*, is by the Kings power ruined, and at last driven to seek *entertainment*, and an obscure *grave* in a *Monasterie*: his *Agents*, that had thrust themselves into his *sacrilegious* imployment, are themselves their own Executioners, guilty of their own *bloods*.

Pope *Clement* the 7th, that willingly permitted the *spoil* of 40 *poor* Monasteries, to erect two *rich* Colledges, is himself necessitated to *plunder* his own *rich* Church, to preserve his poor decayed person.

The Lord *Cromwel*, and Duke of *Somerset*, commit their sacriledge by Acts of *Parliament*, and by Acts of *Parliament* they perish every one by the *sword*, wherewith he strikes.

And since in the *Acts* of *Parliament* for *dissolution*

*tion of Monaſteries*, the whole *Kingdom* was involved either by their perſonal *conſent* as *Barons*, or their *implicit* conſent in the *repreſentative* body in the Houſe of Commons: we have juſt cauſe to fear and pray, leſt God, ſtill obſerving his *order*, and turning our Artillery upon our ſelves, ſhould make uſe of a *Parliament* (whereby our Fathers robbed him) to deſtroy us their Children.

I have here given thee inſtance onely of ſuch as were the firſt *Actors* in the *violation* and ſubverſion of *Monaſteries*; leſt therefore thou ſhouldeſt think the *crime* and *puniſhment* endeth with them, conſider with me the condition & ſucceſs both of our *common-wealth* in general, and of *private Families* in particular before the *diſſolutions*, and obſerve them after, and we ſhall find juſt cauſe to think there is a *curſed thing* amongſt us. For while our *Religious houſes* ſtood, they imploying their *Revenues* according to the *Donor's* direction opened wide their *hoſpitable gates* to all Comers, and without the charge of a *reckoning*, welcomed all *Travellers*, untill the ſtatute of 1. *Ed.* 1. reſtrained and limited them, & caſting their *bread* upon the *waters*, they relieved the *neighbouring poor*, without the care of the two next *Juſtices of peace*, or the *curſe of a penal Law*: while they ſtood, the *younger children* both of Lords & Commons were provided for, without the ruine of their *Fathers eſtate*, or (almoſt) a charge to their *Parents*, and not left

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(as now) often to an unworthy, neceſſitous, and vitious courſe of *Life*: we had then no *new lawes* (the off ſpring of *new vices*) to erect houſes of *correction* for *lewd* and [a] *vagrant* perſons, to provide *ſtock* to bind poor children *Prentices*, or to make *weeklie Levies* to maintain the *weak*, *lame*, *indigent*, and *impotent* people, to our new charge of an *annual Subſidie* at leaſt: for theſe were provided for, thoſe prevented by the *charity* of our *Religious houſes*; and then the *Families* and *Eſtates* of our Nobility & Gentry continued long through very many *deſcents*. But when *covetous* ſacriledge got the upper hand of *ſuperſtitious* Charity, and deſtroyed all our *Monaſteries*, all our *Religious houſes*, the preſervers of *Learning*, both Divine and Humane, by their learned *works* and laborious *Manuſcripts*; the ſuppreſſors of *Vice*, by their ſtrict, regular, and exemplar *Life*; (though ſome, nay many among them, ſons of *Ely*, made the *offerings of the Lord to ſtinck before the people*,) then all their *Houſes*, all their *Lands*, *Appropriations*, *Tithes*, [b] and *Oblations*, coming into the *Kings* hands, Policy to prevent a *reſtitution*) diſtributes them among the *Laiety*; ſome the King *exchanges*, ſome he *ſells*, others he *gives away*; and by this means (like the

a *Vid.* 43. *Eliz. c.* 3. b *Speed. f.* 1686. Par. Churches 9232 *Cam. Brit. fo.* 162. Par. Churches 9284. whereof impropriate 3845.

*duſt*

*dust flung up* by *Moses*) they presently disperse all the Kingdome over, and at once become *curses* both upon the Families and Estates of the *Owners*; they often vitiously spending on their *private occasions*, what was piously intended for *publick Devotion*; insomnch that within *Twentie* years next after the *Dissolution*, more of our *Nobility* and their Children have been *attainted*, and dyed under the sword of *Justice*, then did from the *Conquest* to the *Dissolution*, being almost five hundred years: so as if thou examine the List of the *Barons* in the *Parliament* of the 27. *H.* 8. thou shalt find very few of them, whose Son doth at this day inherit his Fathers *Title* and *Estate*; and of those few, many to whom the Kings *favour* hath restored what the *rigorous law* of *Attainder* took, both Dignity, Lands, and Posterity. And doubtlesse the *Commons* have drunk deep in this Cup of *deadlie Wine*, but they being more *numerous*, and lesse *eminent*, are not so obvious to observation.

Thou hast seen the insuccesse of *H.* 8. and his Family, and mayst observe his *sacrilegious wealth* not to thrive better.

Mr. [a] *Camden* in his *Britannia* saith, that in the time of *H.* 8. after the Dissolution of the lesser *Houses*, there were remaining 645. *Monasteries*, (Monuments of our Ancestors piety) built to

a *Cambden. fol.* 163.

the

the *honour of God*, and *propagation* of the *Christian Faith*, *Learning*, and the *reliefe of the Poore*; as also 96 *Colledges*, (besides those in the *University*) 110 *Hospitals*, and 2374 *Chantries* and *Free-Chappels*. All which, except some few *Colledges*, *Free-Chappels*, and *Chantries*, with all their *Lands* and *Wealth*, came to *H.* 8. the *Annuall value* of the *Lands* then being very *Vast*, their *Goods* and *Personall Estates exceeding great*, besides the *Plunder* of *Shrine* inestimable, when the *Pearle*, *Gold*, and *pretious stones* of one *Shrine* filled two *Chests* so as each tooke eight *strong men* (saith Mr *Cambden*) to carry it.

And though the dissolving of *Chantries*, *Colledges*, and *Free-Chappells*, in the 37. of *H.* 8. his Reigne did not yeeld him a *Crop* equall to the *Vintage* of his former *Reformations*; yet was his *Harvest* better then the *Gleanings* of *Ruth*, though among full *sheaves*. [u] *Speed* saith he had 12 *Barrels* filled with *gold* and *silver*, which *Cardinall Woolsey* provided for the *Pope*, *Goodwin* remembers 118840 he had of the *Clergie* for their *Fine* in a *Premunire*, besides the *great benefit* of *Forfeitures* that accrued by the *attainders* of many *great men*, and the multitude of *Lones*, *Taxes*, and *Subsidies*, he received from his Subjects, being more (saith Mr *Cambden*, and Mr *Howes*) then all the

t *Goodwin. fol.* 159. u *Speed. f.* 1011.

*Kings*

*Kings* had in 500. yeares before; yet all this acceſſe of *wealth*, added to that *Maſſe* of 53 000000l left him in ready mony by his *Father*, as appeares by the *Cloſe-Roll* of 3 *H.*8. (ſaith Sir *Edw.*[x]*Cook*) could not preſerve him from *want*, (the certaine attendant on *ſacrilegious wealth*) wherewith he is ſo *ſore preſſed*, that adout the 36 yeare of his Reigne, of all the *Kings* of *England*, he alone, Coynes not onely baſe * *Tinne* and *Copper*, but *Lether money*.

And it is obſerved that ſince the acceſſion of *Abbies*, and *Impropriations* to the *Crown*, even the *Crown Lands* (which formerly have been thought ſufficient to ſupport the ordinary *charge* of the *Crown*,) are now ſo waſted (*abſit invidia dictis*) as they will ſcarce defray the ordinary charge of the *Kings houſhold*. And while ſuch bitter *ſtreams* flow from *ſacrilegious Wells*, though digged by *Kings*, Subjects that fill their *Ciſternes* from thence, cannnot expect to drink *ſweet VVaters*.

*Reynerus* [y] tells us, and upon good credit, that at the *diſſolution*, *H.*8. divided part of the *Church ſpoiles* among 260 *Gent.* of *Families* in one part

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[x] *Cook.* Juriſdiction of Courts. *fol.* 198.

* *Non tantum ſtanneam cuprinamque ſed coreaceam pecuniam ſolus omnium regum Ang: procudere coactus eſt.*

[y] *Apoſtolatus Benedict. in Ang. fo.* 227. *&* 228.

of

of *England*, and at the ſame time *Thomas* Duke of *Norfolke*, rewards the ſervice of *Twenty* of his *Gentlemen*, with the grant of 40l a year out of his own *Inheritance*, and that while, not ſixty of the *Kings Donees*, had a *Sonne* owning his *Fathers Eſtate*, every one of the *Dukes*, hath a ſonne of his own *Loynes*, flouriſhing in his *Fathers Inheritance*: and that he could have ſet down their ſeverall names, had conveniency required it.

Thou maiſt here expect I ſhould obſerve the *ill ſucceſſe* of particular private men, *poſſeſſors* and *owners* of *Impropriations* and *Scites* of *Religious Houſes*. but to ſet down all, would make the *porch* much bigger then the *Houſe*, a diſproportion, I fear, among other *Errors*, I am already *guilty* of, while I diſcover the nakedneſſe only of *thee*, thy *Parents* or *Friends*. But do thou, and let every man obſerve, how often *Impropriations* and *Religious houſes* in a ſhort time *change*, and *ſhift* their *owners*, like the *Arke* not reſting, either with the men of [z] *Aſhdod*, *Gath*, nor *Eckron*, but *wearies* them *out* with *Emrods*, and *Mice*; *curſes* upon their *perſons* and *Eſtates*: but returned to *Bethſhemeth* and *Kiriahjearim* to its own place, to the *Prieſt*, and *Levite*, not only *Obed-Edam*, but even all *Iſrael* is bleſſed.

And that thou mayſt neither *doubt*, nor yet

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z 1 Sam. 6.

*won-*

*wonder*, at the *insuccesse* of *Sacrilegious Persons*; first weighing what *David* prayed against those that did but say, [a] *Let us take to our selves the houses of God into our possession*; next remember, the *many* and *grievous Curses* imprecated by *Founders* of *Religious Houses*, and those seconded by their *spiritual Mother* the [b] *Church*, she injoyned it by the naturall *Parent*, in severall *Acts* of *Parliament*, and canst thou hope good from their *blessings*, and not *fear evill* from *their Curses*? If thou thinkest the *Founders Idolatrous*, the *Church Popish*, and therefore their *curses* not regardable, let that in [c] *Ezra* rectifie thy *Error*, where thou shalt find *Darius* finishing what *Cyrus* began, the second *Temple* at *Jerusalem*, then restoring what *Nebuchadnezzar* had taken, all the *Golden* and *Silver Vessels*, then he gives *Cattell*, *Corn*, *Wine*, *Oyle*, &c. for *sacrifices*, and addes this *curse* upon the violators; [d] *And the God that hath caused his name to dwell there, destroy all, King and People, that put to their hand, to alter and destroy this house of God*, which is at *Jerusalem*, there thou maist observe both an *Idolater giving*, and a *Heathen cursing*, yet is his *guift* acceptable, and his *curse* prevalent, for thou shalt find *Antiochus* [e] *Epiphanes* his Armies *destroyed*, himselfe *dejected*, and *complaining* even

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*a* Psalm. 83. *b* 17. *E.* 1. *c.* 6. *c* Ezra 6. *d* Ezra 6. 22. *e* 1 Mac. 6.

to

to *death*, of his great *tribulation* and *misery*, acknowledgeth that they *befall* him for his *Evill* done at *Jeruſalem*; for he tooke thence the *Golden Altar*, the *Table* of the *Shew-bread*, the *Veſſels* of *gold* and *ſilver*, as thou maiſt read in the 1. *Chap.* 1. [f] *Mac.* and himſelfe *dying* of a moſt *loathſome diſeaſe*. And ſhortly after his ſonne [g] *Antiochus Eupater* is *ſlaine*: & in the ſame Chapter thou maiſt obſerve *Nicanor* threatning to burne up the *Temple*, and preſently he firſt, and after, all his *Army* is *ſlaine*, not one *eſcapeth*, the *head* and *right hand* of *Nicanor*, which had beene lift up againſt the [h] *Temple*, is *cut off*, and *hung up* towards *Jeruſalem*. *Heliodorus* is ſent to *Jeruſalem* by *Seleucus* King of *Aſia*, to take the *Treaſure* out of the *Temple*, and while in the *Temple* diſpoſing the *treaſure*, he is ſmitten of *God*, and ready to *die*, untill *Onias* the *High-Prieſt*, at the intreaty of *Friends*, offers *ſacrifice* for him, and obtaines his *life*: and *Heliodorus* returnes to the *King*, and declares what befell him; the *King*, yet thirſting for the *Money* of the *Temple*, would ſend another, and demanding of *Heliodorus* whom; he anſwered, thy *enemy* or a [i] *Traytor*, for if he eſcape with *life*, he ſhall be ſure to be *ſcourged*: ſo certaine is the *puniſhment* of *Sacriledge*.

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*f* Mac. 1. 1. 21. 22. *g* Mac. 7. 4. *h* 2 Mac. 3. *i* 2 Mac. 3. 38.

*Caliſthenes*

[k] *Caliſthenes* attempting to burne the *Temple*, ſet fire on the *gates*, and after is himſelfe *burnt* by the *Jewes*.

[l] *Lyſimacus*, called the *Church-rober*, commits many [m] *ſacriledges* by the *inſtigation* of *Menelaus*; is *ſlaine* by the [n] *Treaſury* of the *Temple*, and his *inſtigator*, is by *Antiochus* put to a ſtrange *Death*. For in *Berea* was a *Tower* 50. *Cubits* high, full of *Aſhes*, with a *Round inſtrumet* that went downe into the *Aſhes*, wherein they put *Sacrilegious perſons*, and *Menalaus* (ſaith the *Text*) having committed *ſinnes* againſt the *Altar*, whoſe *Fire* and *Aſhes* are *holy*, receives his *Death* by *Aſhes*, not having a *Buriall* in the *Earth*.

*Alcimus* even in his Act of *Sacriledge*, while pulling downe the [o] *Temple* walls, is ſtruck with a *Palſie* and dyes in torment.

*Jaſon* that burnt the *Porch*, *Demetrius* and other *Sacrilegious perſons*, all fall under the ſingle *Curſe* of one *Heathen*: and doſt thou think to ſcape ſo many *Curſes* of a *Chriſtian Church*, which twice a yeare (being ſo directed by *Parliament*) curſes the violators of *Churches* and *Church Liberties*.

But if theſe judgments and examples cannot fright thy *covetous ſoule* from *Sacriledge*, but thy deſires of being *rich* ſway thee, then let thy pro-

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*k* 2 Mac. 8. 33. *l* 2 Mac. 4. 39. *m* 2 Mac. 4. 2. *n* 2 Mac. 13. 5, 6, 7, 8. *o* 1 Mac. 9. 55.

vident

vident *good husbandry* so farre prevaile with thee, as not to meddle with *God's* and *the Levites portion*, the *Church patrimony*; but even out of *Temporall* and *Worldly* respects, for the good of thee, thy Children, Neighbours, and posterity, forbeare (what pretences soever are made) the dissolving *Bishopricks* and *Deaneries*.

Remember that of all the specious *pretences* and large *promises* made both by *Woolsey* and *H.* 8. upon their severall *Dissolutions*, not any one of them is performed; *Woolsey* neither settles his *Colledges*, nor *H.* 8. ease his Subjects of *Loanes*, *Taxes*, and *Impropriations*; maintaines no *Souldiers* for the defence of the *Kingdome*, nor disposes the *Lands*, as the Statute directs, to the *honour* and *pleasure* of *Almighty God*; nor indeed to the *profit* of the *Kingdome*, if thou weigheſt the *profit* and *conveniencie* the *Publique* had before, with what they have now; the *burdens* and *charges* that we have since *groaned under*, and formerly not known, but that *evill* is onely to be *lamented* not *cured*, may we happily prevent the like for the future.

The *Lands* and *Revenue* of *Bishopricks* and *Deaneries*, clogg'd with long *Leases* under small *Rents*, can give but little help to pay off the *Vast Publique Debt*; and that with greater *damage* to the *Commonwealth*, then the draine of *private Purses* can be: for this onely weakens *particulars*, and for the present; that *ruines generally*, and for ever:

for the *Priesthood* is not with us (as with the *Jewes*) intailed upon *Aaron* and his Sonnes: but *thine*, *mine*, *his*, the *sons* of *Nobles*, *Gentlemen*, and *Pesants*, while all alike able, are all alike interested in the *Churches* preferment; which in our *Nation* is the sole *Spurre*, the onely *reward* for *Learning*; and happily provides for those, which otherwise would be *burdens* to their *Parent*, mischiefes to the *Kingdome*: while *Colledges*, *Bishopricks*, and *Deaneries*, continue, thou and thy *Neighbour* continuest thy *Lease* at small Rents, thy Sons and Grand-child renues it at easie *Fines*, and by the accustomed *charitie* of thy Ecclesiastick *Landlord*, thy continued *Lease*, not clogged with *Liveries*, *Primer seisins*, and *Wardships* (the *curse* of *Tenures*) equalls, if not betters an *Inheritance*.

But *Colledges*, *Bishopricks*, and *Deaneries* dissolved, their *Lands*, and *Houses* must be assigned (as were *Monasteries* and *Impropriations*) to this *Lord*, or that *Courtier*, or to that or this *Committee-man*; & then thy *rent* (if thou beest continued *Tenant*) must be *racked* to the *highest rate*, till thou art ruined by *paying* so great a *Rent*, thy *Landlord*, by receiving the *Church Revenue*, and all we, while under the *rodde* for the first, be guilty of a second *Nationall Sacriledge*; for shall we not believe this *Nationall Warre*, and *generall ruine*, to be for a *generall* and *National sin*; which cannot be the *acts* of *private* and *particular* men

though

(though infinitely *multiplyed*) but muſt proceed from the *Acts* of the *univerſall Nation*, and ſuch I know none, but that *Sacriledge* of deſtroying ſome *Churches*, ſome *Chappels*, and *robbing* others of their *Tythes* and *Indowments*, which is not onely *connived* at, but made lawfull by our [a] *Acts of Parliament*, to which even every one in the whole *Kingdome*, by our owne *Law*, is ſaid to be *privie* and *conſenting*, & thereby *guilty* of the *ſubſequent Sacriledge*: and then do thou *judge*, whether another *Act* for *diſſolution* (which God prevent) will not be a *ſtep* to another *Nationall Sacriledge*, and that to another *Scourge*; therefore if *Hophny* and *Phineas* have *ſinned*, and *Eli* not reproved them, let them all three *dye*, yea in one *day*, for we have *Text* and *preſident* for that, but neither, that the order ſhould *periſh*.

To conclude, do thou conſider, that while we deteine *Tithes* from the *Church*, and forbid *Aaron* to councell *Moſes*, whether we *treſpaſſe* not upon the *Property* and *Liberty* of the *Church*; and ſhall not God *viſit for theſe things*, when thou with thy *Sword* maintaineſt againſt thy *Brother* (if not againſt thy *King*) thy *Property of goods*, and *Liberty of Subjects*? But that God may withdraw his *Viſitations*, and thou *ſheath* thy *Sword*, and the *King* receive the *Allegiance* and *Tribute* due from His

[a] 27. *H.*8. 31. *H.*8.

Subjects, His Subjects their *Protection* and *Liberties* from the *King*; May King and Subjects agree to return *God* and his *Church* what is due to them, and may the first *Actor*, in restoring *God* his *right*, be by *God* first restored to his *owne right*.

Other things (and these more perfecty) I would have observed to thee, had not *London* and *Oxford*, the Records and I been at so great a distance. Let therefore thy goodnesse excuse, what is either omitted or mistaken by not viewing the Records, and for my other Errors, I beg thy pardon, as I would have done for medling with this *subject*, fitter for a *Pulpit* then my *Pen*; but I have often heard it *slighted* from the *Levite*, as Preaching his owne *profit*, and therefore thought it might take better (though worse delivered) from a *Lay hand*, no wayes concerned by it, but in the generall Calamity of our *Common-wealth*. Farewell.

CLM: SPELMAN.

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DE

*De non temerandis Ecclesiis.*

# OF THE RIGHTS AND RESPECT DUE UNTO THE *CHURCH.*

INsomuch as the rights and duties that belong to our Churches, are (in effect) contained under the name of a *Rectory*, or *Parsonage*; I will first define, what I conceive a Rectory or Parsonage to be, according to the usual form and manner thereof.

A Rectory, or Parsonage, is a [a] *Spiritual living*, composed of *Land*, *Tithe*, and other [b] *Oblations* of the people, [c] separate, or dedicate to God in any *Congregation*, for the [d] service of his Church there, *A Rectory what it is.*

a *Plawd. comment. in Quare impedit per Grendom, &c.* b *Oblatio est omne quod exhibetur in cultu Dei, Tho. Aq. 2. 2. q. 85. 3. &c.* and *Urban* in his epist. *Tom. 1. Concil.* And Lands are so termed, *Ezek. 45. 1.* and Tithes. *Num. 18. 24.* So also the Canonists and Civilians expound them, *Concil. Aurel. c. 7. Burcha. lib. 3. cap. 129, & 143 Et Lex. Jurid. in verb. Oblatio.* c *Levit. 27. 28.* d Touching divine worship, and works of Charity,

and for the maintenance of the *Governour* or *Minister* thereof, to whose charge the same is committed.

By this *definition* it appeares, that the ordinary Living or Revenue of a Parsonage, is of three sorts: the one in Land, commonly called the *Glebe*; another in Tithe, which is a set and regular part of our goods rendred to God. The third, in other Offerings and Oblations bestowed upon God and his Church, by the people, either in such arbitrable proportion as their own Devotion moveth them, or as the Laws or Customes of particular places do require them.

*Tithes, how due.*

2. Though I invert order a little, I will first speak of *Tithes*, because it is God's ancient Demaine, and the nobler part of this his inheritance: founded primarily upon the Law of Nature, (as the other be also after their manner.) For the *Law of Nature* teacheth us, that God is to be honoured, and that the honour due unto him, cannot be performed without *Ministers*, nor the *Ministers* attend their function without *maintenance*. And therefore seeing God is the supreme Lord, and possessor of all*, and giveth all things unto us that we are maintained with, it is our duty, both in point of *justice* and *gratuity*, to render something back again unto him, as acknowledging this his supre-

* *Gen.* 14. 19.

macy

macy and bounty; as honouring him for his *goodnes*; as a testimony of the worship, love, and service we owe him; and lastly, as a means whereby these duties and services may be performed to him. This, I say, the very *Law of Nature* teacheth us to do, and this the *Law of GOD* requireth also at our hands: but what the *set* portion of our goods should be, that thus we ought to render back unto God, I cannot say the Law of *Nature* hath determined that. But the wisdom of all the Nations of the World, the practice of all Ages, the example of the Patriarchs, [b] *Abraham* and [c] *Jacob*, the [d] approbation and commandement of Almighty God himself, and the constant [e] resolution of his *Church* universally, hath taught and prescribed us to render unto him the *Tenth part*: and that this *tenth* part or *Tythe*, being thus assigned unto him, leaveth now to be of the nature of the other *nine parts*, (which are given us for our worldly necessities,) and becometh as a thing dedicate and appropriate unto God. For it is said, *Levit* 27. 30. *All the Tithe of the Land, both of the seed of the ground, and of the Fruit of the trees, is the Lords*: yea more then so, *it is holy unto the Lord*.

*a* Yet there be divers natural reasons, that commend this number (for this purpose) above other. *b* *Gen.* 14. 20. *c* *Gen.* 28. 22. *d* *Lev.* 27. 30. *and* 32. *Deut.* 12. 6. *&* 11. *Malachy* 3. 10. *e* Declared by the Fathers & Councels.

And again, *v.* 32. *Every Tithe of Bullock, and Sheep, and of all that goeth under the rodde, the tenth shall be holy unto the Lord.* He saith, *holy unto the Lord*, not that they were like the *sanctified* things of the *Temple*, which none might touch but the *Anointed Priests*: but *holy* and *separate* from the use and injury of secular persons, and to be disposed onely to, and for the peculiar service and peculiar servants of *God*. And therefore in the 28. verse, it is said, *to be separate from the common use, because it is separate, and set apart unto the Lord.*

*Tithes originally, not Levitical.*

3. But some happily will say, that this use of *Tithing* rises out of the *Levitical* Law, and so ended with it. I answer, that it was received and practised by *Abraham* and *Jacob* diverse hundred years before it came to the *Levites*. For it is said that *Abraham* gave *tithe* to *Melchisedeck*, *Gen.* 14. 20 and that *Levi* himself paid *tithe* also in the *loines* of *Abraham*, *Heb.* 7. 9. *Melchisedeck* was the image of CHRIST, and his Church; *Abraham*, of the congregation of the Faithful. Therefore though *Levi* received tithes afterward, by a particular grant from GOD, for the time; yet now he paid them generally with the congregation, in the loins of *Abraham*, unto the Priesthood of Christ,

a *Jacob* voweth to give Tithes, *Gen.* 28. 22. And *Josephus* sheweth, he performeth his vow. *Antiquit. lib.* 1. *cap.* 7.

here

here personated by *Melchisedeck*: which being perpetual, and an image of this of the *Gospel*, may well denote unto us, that this duty of *Tithe*, ought also to be perpetual. And therefore *Chrysostome* saith, that *Abraham herein was OVR Tutor*, not the *tutor* of the *Jewes*. And insomuch as *Abraham* paid it not to a *Priest*, that offered a *Levitical* [a] *sacrifice* of *Bullocks* and *Goats*, but to him that gave the *Elements* of the *Sacrament* of the Gospel; [b] *bread* and *wine*; it may may also well intimate unto us, to what kind of *Priest* we are to pay our *tithes*: namely, to him that ministreth unto us the *Sacrament* of *bread* and *wine*, which are onely those of the *Gospel*, and not the *Levitical Priests*. So that our *tithe* paid in this kind, cannot be said *Levitical*, as also for that the *Levitical tithes* were onely of things renewing and increasing: whereas *Abraham* and *Jacob* paid them of all, as if they had followed the commandement of the Apostle, *Let him that is taught in the Word, make him that hath taught him, partaker of* [d] *All his Goods*. *Gal.* 6. 6.

God also requireth this duty of *Tithe* by his

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a *Hom.* 35. *in Gen.* b The Scripture onely mentioneth *Bread* and *Wine* to be given by *Melchisedeck* to *Abraham*: But *Josephus* sheweth, that he gave him also many other rich gifts. *Antiq. lib.* 1. *c.* 18. c *Lev.* 37. 30. & 31. d ἐκ πάντων ὑπαρχόντων.

own

own mouth, as of old belonging to him, before the *Levites* were called to the service of the *Tabernacle*, and before they were named in Scripture. For they are not named till *Exodus*, 38.21. And it is said in *Exod.* 22.29. *Thine abundance of thy liquor shalt thou not keep back*; meaning *Tithes* and *first fruits*, and therefore *Hieronm* doubteth not so to translate it, *Thy Tithes and first Fruits shalt thou not keep back*. And in this manner of speech, the word *Keep back*, sheweth, that it was a thing formerly due unto GOD: for we cannot say, that any thing is *kept back*, or *withholden*, that was not due before. Therefore we find *no original* commandement of giving *Tithe* unto GOD: but upon the first mentioning of them in *Leviticus*, they are positively declared to be *his*, as a part of *His* Crown, and ancient *demaine*; for it is there said, *Cap.* 27.30. *All the tithe of the Land is the Lords*. And *Moses* commandeth not the people a new thing, but declareth the *Right*, that of old belonged to GOD, namely, that *all the Tithes of the Land was his*.

Other phrases of Scripture do confirm this; for afterward, when *Tithes* came to be assigned to the *Levites*, God doth not say, *The children of Israel shall give their Tithes to the Levites*; but he saith, *Behold, I have given them to the Levites*. *Num.* 18.21, 24. & 26. And continuing this his claime unto them, against those that many hundred

two

dred years after disseised him of them; he complaineth, *Malachy* 3. 8. *That they that withheld their tithes from the Levites, spoiled him himself.*

But having handled this argument more largely in a greater work, I will here close it up with opposing against these kinds of Adversaries, not onely the reverend authority of those ancient & most honourable pillars of the Church, SS. [a] *Ambrose*, [b] *Augustine*, [c] *Hierome*, and [d] *Chrysostome*, (who though they run violently with Saint *Paul*, against such ceremonies, as they conceived to be *Levitical*, yet when they come to speak of *tithes*, admit, maintain, and command the use thereof;) but also the resolution of many ancient Councels, and a multitude of other † *Fathers* and *Doctors* of the Church in their several ages, all of them concurring in opinion, that *Tithes* belong justly unto *God*; and many of them commanding all men even upon perill of their souls not to withhold them: which argument † S. *Augustine* himself pathetically maintaineth, in a particular Ser-

a *Ambros. in Serm. quadrages.* b *August. in Serm. de temp.* 129. *& alias.* c *Hieron. in Mala.* 3. d *Chrysost. in Epist. ad Heb. Hom.* 12. *& Hom.* 35. *in Gen.* e *Roman. Concil.* 4. *Aurelian.* 1. *Tarracon. sub Horm. Mediomatricis, Toletan. Agrippin. cap.* 6. *Hispalens. Moatis. concluss.* 2. *Valentinum sub Leone* 4. *Rothomag. c.* 3. *Cavall: cap.* 18. *Magguntin. cap.* 10. *Origen, Tertullian, Cyprian, Gregory, &c.* † See this Sermon in the end of this book.

mon

mon of his to this purpose. And though it be a great question among the learned, whether they be due *in quota parte jure divino*, (which requireth a larger discourse) yet I never read of many that impugned them so absolutely. * *Lientardus*, who lived about 1000 years after Christ, taught the payment of them to be superfluous and idle, and then growing desperate, drowned himself, as it were to give us a badg of this Doctrine.

*Of Oblations, and Offerings.*

4. Touching *Oblations* and *Offerings*: the *Fathers* under this name accounted all things, that were given or dedicated to the service of God. And in the first ages of *Christian* Religion, (after the great persecutions,) the *Church* by this means began so to abound in riches, that the good Emperours [b]themselves were constrained to make laws (not unlike our statutes of *Mortemaine*) to restrain the excess thereof, for fear of impoverishing their *temporal* estate. In those dayes, many Churches had *Treasuries* for keeping these oblations, as the Storehouses at *Hierusalem*, appointed by [c]*Heze-*

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* *Glaber. Hist. lib. 2. c. 11.* a *Urban. epist. circiter annum Christi 227.* b *Constantine* and *Valentinian* made laws, that rich men, which were able to support the charge of the Common wealth, should not be admitted into Religious houses, because their possessions and goods were thereby amortized.

c 2 *Chron. 31. 11.*

*tion* *kiah,*

*kiah*, for the Temple) but the succeeding ages contracted them into Chests: and in these later times, the *Parsons* pocket may well enough contain them. I shall not need therefore to spend many words in a small matter: for all the *Oblations* now in use, are in effect the *two-peny* Easter offerings, and a few other such like: which because the owners of *Appropriate Parsonages* shall not ignorantly convert into their own benefit, I will shew them why they were paied, and why they have them.

Saint *Paul* ordained in the Churches of *Galatia* and *Corinth*, that every one upon the Lords day should yield somewhat to God for the *Saints*. 1 *Cor.* 16. 2.

But this (being once a week) came too thick, and too often about. Therefore in [a] *Tertullians* time the use was to do it monthly, and (at last) at pleasure. But it was ever the ancient use of the Primitive Church (as appeareth by [b] *Justin* and *Cyprian*) that all that come to the holy *Communion* did, according to their abilities, offer something of their substance to God, for charitable uses, and maintenance of the *Ministers*. Therefore [c] *Cyprian* sharply taxeth a rich Matron, that received the Communion, and offered nothing:

a *Tertullian. in Apologetico.* b *Justinus in Apol.* 2. *Hist. Eccles.* c *Sermone* 1. *de Eleemosynis.*

Locuples

*Locuples & dives & dominicum celebrare te credis, qui* [a]*Corban omnino non respicis &c.* What (saith he) *art thou able and rich? and dorst thou think that thou celebratest the Lords Supper, which bringest nothing to the Treasury?* So *Irenæus* saith, [b]*That it was the use of the Church through the world in his time, and received from the Apostles, to offer something of the blessings that they lived by, as the first fruits thereof, to him that gave these things unto them.* Which [c] *Zanchius* understandeth to be meant of Offerings at the *Communion, given to holy uses, and for relief of the poor of the Church:* commending it for an excellent custome, and complaining that it is now discontinued. But to this end, and in imitation hereof, are our Easter and Communion offerings (as also those, at, and for Christnings, Burials, &c. which I will not now speak of) at this day made, and therefore let *Propriataries* consider with what conscience they can swallow and digest them.

*Of Glebe land and houses belonging to Parsonages.*

5. Touching the *land, glebe*, and *houses* belonging to Parsonages, (which I would have called God's *fixt inheritance*, but that I see it is

[a] He calleth the treasury *Corban*, of that at the temple of Hierusalem. [b] *Novi Testamenti novam docuit* (scil. *Christus*) *oblationem, quam Ecclesia ab Apostolis accipiens in universo mundo offert Deo, ei qui alimenta nobis præstat; primitias suorum munerum in novo testamento.* [c] *Vide Zanchium lib. 1. de cultu Dei externo.*

*moveable,*)

*moveable,*) I cannot say that they are God's *ancient demaines*, in the same form that *tithes* are, and as our Clergy enjoyeth them: but the warrant and ground thereof riseth out of the word of God; who not onely gives us a president thereof, when he appointed Cities for the *Levites* to dwell in, with a convenient circuit of fields for the maintenance of their Cattle, *Num.* 35. 2. *&c.* but commanded also the children of *Israel* (and in them all the Nations of the world, that in division of their land, they should offer an oblation to the Lord, an holy portion of the Land for the Priest to dwell on, and to build the house of *God* upon: *Ezek.* 45. 1. *&* 4. So that the Houses & Lands that our Ancestors have dedicated to God in this manner, for the Churches and Ministers of this time, are now also his *right* and *just inheritance*, as well as those which the *Israelites* assigned for the *house of God*, and *Levites* of that time; and cometh upon the same reason, and in lieu thereof. But because it is uncertain, when and how they were brought into the *Church*, I will say something touching that point.

*How Lands came to the Churches.*

In the time of the Apostles the use was (as appeareth *Acts* 2. 45. and *Acts* 4. 34. *&* 35.) to sell their lands, & bring the money onely, to the Apostles. For the Church being then in persecution, and the Apostles not to remain in any particular place, but

to wander all over the world, for preaching the Gospel: they could not possesse immoveable inheritances, and therefore received onely the money they were sold for, distributing it as occasion served. But after, when the Church obtained a little rest, and began to be settled, [a] it found much casualty in pecuniary contributions, and chused therefore rather to retain the Lands themselves, given for the maintenance of God's Priests and Ministers, then (by suffering the same to be sold) to furnish the time present with abundance, and leave the future time to hazard and uncertainty. Hereupon the Fathers in the [b] Primitive Church, as well before *Constantine* (as appeareth by his own Edicts, and by [c] *Origen*, [d] *Eusebius*, and the Epistles of [e] *Pius*, and [f] *Vrban*) as after, began to accept and retain the lands thus given, and to leave them over to their successors for a perpetu-

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a It appeareth by the Epistles of *Pius* and *Vrban*, who liued about the year of Christ 230, that the Church of *Rome* had then begun to retain lands in this manner, upon this reason: and it may well be, for that *Origen* and *Eusebius* shew, that Churches had their possessions. b *Edicta Constantini & Lucinii Impp. Eus. lib. 10. c. 5.* c *Origen* speaketh of *rents* of the Church. *Hom. 31. in Mat.* d *Eusebius*, of an house belonging to the Church of *Antioch*, that *Paulus Samosatenus* in the time of *Aurelianus* the Emperour (about 30 years before *Constantine*) wrongfully invaded. *lib. 7. cap. 24.* e & f Read the Note (*a*) next afore.

all Dowry of the Church. And this upon experience was found to be so godly, and worthy a course, that it not only received the applause of all succeeding ages; But commendeth forever unto us their temperance, in desiring no more then for present necessity; their zeal for providing for posterity; and their great wisdome, (or rather, Propheticall spirit) which fore-saw so long before hand, that devotion though it were at one time hot and fervent. yet, at another it might be cold enough: and therefore when time served, they would by this means provide that the *Church* for ever, should have of her own, to maintaine her selfe withall. Upon this ensued many godly provisions for endowment of Churches, and for annexing their livings so unto them, as neither the variety of time, nor the impiety of man (if it were possible) should euer have divorced them; as appeareth by a multitude of antient Councels, Canons, Statutes, and decrees of the [a] *Church*, [b] *Em-*

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a *Synod. Roman. sub Symacho.* 103. *Episcoporum circiter. An Christ.* 503. *tota contra invasores Ecclesiarum. Concil. Aurelianens.* 4. *Ann.* 543. *c.* 19. *&* 34. *Concil. Meldens. cap.* 5. *Burch. lib.* 11. *cap.* 16. *Concil. Gangrens. cap.* 16. *Bur. lib.* 11. *cap.* 20. *Concil. Mogunt. cap.* 3. 6, 7. *&* *plurima alia.*

b See the two Edicts of *Constantine* and *Licinius* Emp: *Euseb. lib.* 10. *cap.* 5. And the lawes of *Constant. Theodos. Just. Carol. Magn.* and many others.

*perours*, and [a] *Princes*, to that purpose. Therefore whilest the world burned so with that sacred fire of devotion, towards the advancement of the glory of God: that every man defired to sanctifie his hand, in the building of Churches, lest such holy monuments for want of due maintenance should in processe of time become, either contemptible, or unprofitable: It was at length ordained, in [b] *Aurel. Concil.* 4. (*An.* 545.) *cap.* 33. And [c] *Concil. Valentin.* (*An.* 855.) *cap.* 9. That, *whosoever builded a Church, should assigne unto it a* * *Plough-land, furnished for the maintenance of the Parson thereof.* By vertue of these *Councels* (as I take it) were the *Founders* of Churches in *France* first compelled to assure Livings to those *Churches*. And it was also provided by the third *Councell* of [d] *Tolledo* in *Spain*, that no Bishop might consecrate any *Church*, till sufficient maintenance (which [e] *Chrysostome* calleth the *Dowry of the Bride*) were assigned to it.

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*a* To passe over forraigne Princes, our own in former times have almost successively confirmed them. b *Si quis in agro suo, aut habet, aut postulat habere diœcesim, primùm & terras ei deputet sufficienter & clericos: qui ibidem sua officia impleant, ut sacratis locis reverentia condigna tribuatur. Aur. Conc. c.* 23. *in Conc. Tom.* 2. *ubi nota quod diœcesis accipitur pro libertate condendi oratoria vel Ecclesias. itaque in argumento hujus capituli oratorium exponitur.* c *Tom. Concil.* 1. * *Coloniam vestitam.* d *Concil. Tolet.* 3. *c.* 1. 5. e *Chrysost. hom.* 18. *in Acta.*

But

But because these were forraigne, and *Provinciall Councels*, not *General*. they bound not our Countrey, otherwise then by doctrine and example. Therefore it was here decreed afterward, to the same effect in a [a] *Synod* at *London* under *Anselme Arch-bishop of Canterbury*, *Anno Domini* 1105. *H.* 1.3. And though the lawes of our Church began then first (as far as I yet can finde) to constraine our Country-men to give *Endowments* to the Churches that they builded; yet we were taught before (by the Custome and example of our precedent Ancestors, as well as by our *duty*, out of the *Word of God*) to do the same: as appeareth by many Presidents, whereof I will only aleadge one (but above others, that most famous) of * ETHELVVULPHUS, *King of West-Saxony*, who (in the year of our Lord 855.) as [b] *Ingulphus Saxo*, and [c] *Simeon Dunelmens.* report, by the advice and agreement of all his *Bishops* and *Nobility*, *Gave* not only the *tithe* of the *goods*, but the [d] *tenth* part of the *Land* through his Kingdome for ever, to *God* and the *Churches*, free from all secular services, taxations, and impositions whatsoever: In which kind of religious magnifi-

a Syn. *Lond. ca.* 16. *Antiq. Britan. ca.* 34. * *Alias* Adulphus. b *Ingulph. in Hist. Croil.* c *Sim. Dunelm. citat. Antiquit. Brit. ca.* 27. d *Decimam mansionem ubi minimum sit.*

cence, as our succeeding Kings have also abounded, so have they from [a] time to time, as well by Parliament Lawes, as by their Royall *Charters*, confirmed these, and other, the Rights of the *Church*, with many solemne [b] vowes, and imprecations against *all* that should ever attempt to violate the same. Therefore if these things had not been primarily due unto God by the rule of his word, yet are they now *His*, and *seperate* from us, by the voluntary gift and dedication of our ancient Kings and Predecessors: as was the [c] *tribute* of a third part of a shekel, which *Nehemiah* and the Jewes out of their *free* bounty covenanted yearly to give unto God *for the service of his house*. For, as Saint *Peter* [d] saith to *Ananias*: *Whilest these things remained, they appertained unto us, and were in our own power*: but now, when we have not only vowed them, but delivered them over into the hands and possession of Almighty God (and that, not for superstitious and idle orders, but meerly for the maintenance of his publick divine worship, and the Ministers thereof,) they are not now arbitrable, nor to be revoked by us, to the detriment of the Church.

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*a* As appeareth in their several lawes, and namely, 15 times in *Edw.* 3s Raigne. *b* See the Stat. of 25. *Edw.* 1. in *Rastals* Abridgment *tit. Confirmat.* 3. And *Sententia lata super Chartas.* c *Nehe.* 10. 32. d *Acts* 5. 4.

6. Chur-

6. Churches being erected and endowed, they and their livings, were (as I ſay) dedicated unto God. Firſt, by the ſolemne vow and oblation of the Founders; then by the ſolemn act of the Biſhop, who, to ſeperate theſe things from ſecular &prophane imployments, not only ratified the vow, and oblation of the Patron or Founders: but *conſecrated* alſo the Church it ſelf: uſing therein great devotion, many bleſſings, prayers, works of charity, and ſome Ceremony, for ſanctifying the ſame to divine uſes. Therefore alſo have the ancient [a] Councels added many fearfull *curſes* againſt all ſuch as ſhonld either violate it, or the Rights thereof. Churches and their livings dedicated to God.

This *Conſecration*, Maſter [b] *Perkins* calleth a Dedication, but confeſſeth to have been in uſe in this manner, about the year of Chriſt 300. (which is within the time of the Primitive Church) only he admitteth not, that it was then performed with *Ceremony* and the ſigne of the *Croſſe*; which here I will not ſtand upon, nor to ſhew the greater antiquity thereof, (though I think it may well be proved.) For * *Athanaſius* being in thoſe

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*a* See the 6. *Syn. Rom.* of 103 Biſhops (above 1000 years ſince) wholy againſt violaters of Churches & Church-rights. And ſee many to this purpoſe. *Burchar. lib.* 11. b *Demonſt. problem. tit. Templum ſect.* 3. * *In Epiſt. ad. ad Conſtant Imp.*

daies accused by the *Arians*, of ministring the Communion in a Church not *consecrated*, excused himself to have done it upon necessity. And [a] *Theodoret* reporteh, that *Constantine* (then likewise) commanded, *all those that were at the Counsell of Tyrus, should come to* * *Ælia: and that others should be assembled from all parts, for* * *Consecration of the Churches builded by him.* Which sheweth it to be so notorious and generall an use at that time, and to have such universal approbation; as it could not, but have a root also from elder ages, though there cannot be many presidents found thereof: for that the Christians being then in persecution, might hardly build, or dedicate any Churches, but were constrained to use private houses, and solitary places for their assemblies. Yet, even those *houses*, had (as it seemeth) some *Consecration*, for they were most commonly called * *ædes sacræ*, holy houses, and have left that name, (to this day) amongst us, for our Churches, as a testimony of their sanctification, whereof I shall speak more anon. * *Eusebius* also so saith, that *insomuch as the Holy houses and Temples of that time were thus Dedicated, and* Consecrated *unto God, the universall* Lord *of all: therefore they received his name, and were called in Greek* κυριακὰ, (in Latin, *Dominica*) *the* Lords

a *Histor. suæ lib.* 1. *c.* 30. *&* *Sozom. lib.* 3. *c.* 25. *Niceph. l.* 8. *cap.* 50. *Hist. Triper. l.* 3. *fol.* 331. * *Hierusalem.* καθιερῶσαι, *consecrare.* * *Euseb. in orat. de laudib. Constant.* * *Ibidem.*

houses

houses: *Which name*, saith he, *was not imposed upon them by man; but by himself only, that is Lord of all.* Of this word κυριακὸν, cometh the *Saxon* word *Cyric* or *Kyrk*: and (by adding a double aspiration to it) our usuall word *Chyrch* or *Church*, as it were to put us ever in mind, whose these *Houses* are: namely, *the Lords houses*: like that, which JACOB dedicating unto GOD, called *Bethel*, that is, *the House of God. Gen.* 28.22.

But both Church & Chhurch-livings were thus solemnly delivered into Gods possession, & therefore all ages, Councels & Fathers (that ever I yet have met with) account them holy & inviolable things. And hereupon they are termed, *Patrimonium Christi, Dos Ecclesiæ, Dos Sponsæ Christi*, and *Sacrata possessio*, or *Prædium sanctum* [a]. For, *Every thing that a man doth seperate unto the Lord frõ the common use, whether it be mã, or beast, or* Land of his Inheritance, *'tis* Holy *to the Lord: Lev.* 27.28. And in what sort I understand the word *Holy*, I have before declared.

7. As then the Law of *Nature* primarily taught all Nations in the world to give these things unto God: so the very same Law, also taught them that it was sacriledge and impiety to pull them back again: yea, the very heathen counted the things thus severed unto their gods, to be *Sancta & inviolanda*. And St *Augustine* expoundeth, *Sanctum* Holy rights and Temples how respected by Heathens.

a *Chrys. hom.* 18. *in Act. Concil. Mogunt. cap.* 7.

*illud esse, quod violare nefas est.* It is execrable wickedness, to violate that that is holy. [a] *Pharaoh* would not abridge the Priests of their diet, or land: no not in the great famine. The very Barbarous Nations of the world, even by the instinct of nature, abhorred this impiety. [b] *Diodorus Siculus* noteth of the *Gaules*, that though they were a people, above all others most covetous of gold; yet having abundance thereof, scattered in all parts of their Temples to the honour of their gods; none was found so wiked amongst them, as to meddle with any of it. I could alleadge a multitude of Heathen stories to this purpose. But I will not weave the woollen yearne of the *Gentiles*, into the fine linnen garments of the *Christians*; I mean I will not mingle prophane arguments, in a discourse of Christian piety. For the sheep that are of the fold of Christ, are tied onely [c] *to hear his voice*, and to follow that, which if they do not, they are thereby known to be *Goats*, and not of his fold.

How fearful a thing it is to violate the Church.

8. The cause why I touched upon this one heathen Example, is to aggravate the manifold sins of us Christians, in this point. For if they that knew not God, were so zealous of the glory of their Idols, how much more is it to our condemnation, if we that know him, do lesse regard him? If it go hard with *Tyrus*, and *Sydon* in the day of judgment that sinned ignorantly;

a *Gen.* 47. 22. b *Biblioth. hist. lib.* 5. c *John.* 10. 3.

how

how much harder will it be with *Corasin* and *Bethsaida* that sin presumptuously: especially with *Capernaum*, that despiseth her Lord God and Master, *Jesus Christ* himself? What is it to despise him, if to rob him of his honour be not to despise him? Or what is it to rob him of his honour, if to take from him the things given him for maintenance thereof, be not to rob him? Therefore when the children of *Israel* withheld their *tithes* and *offerings* from the *Levites*, he cried out in *Malachy*, 3. 8. that *himself was robbed and spoiled*, and was so highly offended therewith, that he cursed the whole Nation for it. And to make *this* sin appear the more monstrous, he convinceth the offenders therein, not onely to be violaters of his *Legal* ordinances, but even of the very law of *Nature*, written in the heart of every man. For, saith he, *Will any man spoile his Gods?* As if he should say: Can such a man be found, as will, or dares commit that sin, that all the Nations of the world, even by the instinct of Nature, account to be so horrible and impious? *to spoil his Gods, what his own Gods?* Some were found, that now and then adventured to spoil the Gods of other Nations, (yet not without punishment,) but few or none that I read of, (till these later dayes,) that spoiled their own Gods, in apparent and *overt* manner, as the Lawyers terme it. I account it not overt and apparent, when we do as *Ananias* and

*Sapphira*

*Sapphira* did, pinch and detract from God, somewhat of that we vowed to give: nor, when we do as the children of *Israel* here did, withhold that which we ought to pay out of our own goods, (yet both these were heinous sinners, and dreadfully punished:) But I call it *overt* and *apparent*, when we throw our selves into a more dangerous sin, by invading openly the devotions of other men, and taking that from God and from his Church (as **Athalia* did,) which we never gave unto it, even the Lands and livings thereof, yea, the Churches themselves.

*David's* zeal for the house of God.

9 Doubtlesse we have much to fear in this point: For as it is a transcendent sin, so *David* labouring to match it with a transendent punishment, bestoweth a whole Psalm, (*viz.* the [a]83.) in inveying particularly against these kind of Sinners, such (expressly) as *would take to themselves the houses of God in possession*; for that onely is the very *center* of the *Psalm*, and therein do all the lines and projections of the *Prophets* invectives concurre. First, he maketh a flat opposition between God and them, and therefore calleth them

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* 2 *Chron.* 24. *v.* 7. a This Psalm is alleadged to this purpose by *Lucius*, (who was martyred about *An. Chr.* 255.) in his Epistle to the Bishops of *Gallia* and *Spain*. *Tom. Concil.* 1.

his

his enemies. Then he describeth the nature of these kind of enemies, namely, that they are *murmuring* enemies, as grudging, and envying at the prosperity of the Church: *Malicious* enemies, as hating or hurting the service of God: *Proud* enemies, as *lifting up their heads against God, vers.* 2. *Crafty* enemies, as imagining how to beguile the Church: *Conspiring* enemies, as taking *counsel* together against God's *secret ones*, (as the Prophet calleth them,) that is, Gods servants & Ministers. *v.* 3. & lastly, *Confederate* enemies, as combining themselves one by example of another, to persevere in their course of wronging and violating the Church. *vers.* 5. Yet for all this, those against whom the Prophet thus inveigheth, did not that they desired. They discovered their malicious purpose by word of mouth, saying, *Let us take to our selves the houses of God in possession.* But they onely said it; they did it not. Their will was good, but their power failed. Our will and power have both prevailed, for we have got the *houses of God into our possession*: his Churches, his lands, his offerings, his holy rights: we have gotten them, and lead them away captive, bound in chains of iron; that is, so conveyed and assured unto us, by Deed, by Fine, by Act of Parliament, as if they never should return again unto the Church. But hear what *David* saith to those of his time. Mark how he prayeth for them. Mark what strange and exquisite punishments he designeth to them, and

that in as many ſeveral ſorts, as there are ſeveral branches in this kind of ſin.

Firſt, he prayeth, that God would deal with them, as he did with the *Madianites*, *verſ.* 9. That is, that as *Gideon* by Trumpets, and Lamps, ſtrook ſuch a terror in the night time, into the hearts of the *Madianites*, that the whole Army fell into confuſion, drew their ſwords one upon another, were diſcomfited, and 120 thouſand of them ſlain. So that God by his Trumpets, the Preachers of his word; by his Lamps, which is, the light of the Goſpel, would confound in like manner the enemies and ſpoilers of his Church, that ſleep in the night of their ſin: and that he would make them like *Oreb, and Zeb, like Zeba and Salmana*: *verſ.* 11. all which were ſtrangely overthrown, died violent deaths, and being glorious Princes of their Nations, became like the filthy and loathſome *Dung of the earth*. *verſ.* 10. And *Judges* 7.25. and 8.21.

But doth the Prophet ſtay here? no, he goeth on with them: *O my God*, ſaith he, *make them like a wheele*, *verſ.* 13. that is, wavering and unſtable in their actions, ſo as they may never bring their purpoſes to an end. Yea, make them abject and contemptible, *like the chaffe that the wind ſcattereth from the face of the Earth*: *verſ.* 13. Well, is he now ſatisfied? no. All this doth but whet his ſpirits to ſharper imprecations. He now deſireth

reth that the very floudgates of Gods wrath may be broken open upon them, and that the Tempest of his indignation may rage at full against them: now he crieth out to God to consume them without mercy, yea, and that in two terrible manners. One naturally, *As the fire burneth up the wood:* The other miraculously, *As the flame consumeth the mountaines: vers.* 14. *Persecute them even so,* (saith he) *with thy tempest, and make them afraid with thy storm. Make their faces ashamed, O Lord, that they may seek thy name. Let them be confounded and vexed ever more and more, let them be put to shame and perish. vers.* 15, 16, 17. How should the wit of man discover and prosecute a sin in more vehement and horrible manner? Or, what shall make us to abstain from such haughty sins, if all this prevaile not? Well, if to take the houses of God *into possession* be thus, take them that will for me.

*The zeal of our Saviour to the house of God: and of the parts of the Temple.*

You see how *David* in this his sacred fury, was admirably carried against this sin. Well therefore might he say, *The zeal of thy house hath eaten me up, Psal.* 69. 9. Yet, he spake it not of himself alone, but in the person also of our Saviour Jesus Christ; who in prosecution of *Davids* zeal, did that in this case, that he never did at any time else in all his life. In all other cases he shewed himself like the Paschal Lamb

Lamb, that every body did eat, and devour at pleasure; and like the sheep that was dumb before the Shearer, even when his very life was taken from him. But when he saw the Golden fleece to be taken from the *house of God*, that is, when he saw the Church his beloved *spouse*, deprived and spoiled of the honour, reverence, duty, and ornament, that belonged to her: Then, as *David* did, he grew into a sacred fury; he leaveth the mildnesse of the Paschal Lamb, and taketh upon him the fiercenesse of the Lion of *Judah*. Then he beginneth to bestir him, and to lay about him: he whippeth out them that prophaned it, driveth out their sheep, and their oxen, though they were for the sacrifice, and overthroweth the Tables of the Money-changers: *John* 2.14. * He would by no means indure such Trumpery to be in his Fathers house, nor his Fathers house to be made an house of Merchandise; but, much lesse then, that merchandise should be made of his Fathers house it self. O fearful and most inhumane sin! *Horresco referens.*

But ere I depart from this place of Scripture, let me note one thing more out of it, for the greater reverence of Churches: That although our Lord be here said, to have cast these things out

* Mat. 21. 12, Mat. 11. 17. Luk. 19. 45.

of

of the Temple; yet in truth, they were not in the Temple it self, but in the outward court or yard thereof. For within the inward parts of the temple, (namely, the first and second Tabernacles) did no man enter, but the *Levite Priests*: and of them also, none into the second Tabernacle, but the High Priest. * Therefore, although our Saviour Christ were a Priest for ever after the order of *Melchisedeck*, yet because he was not a Priest of *Levi*, but of the Tribe of *Juda*, (of which Tribe *Moses spake nothing touching the Priesthood*, *Heb* 7. 14.) I take it, that he [a] never came within these parts of the Temple, nor where the *sacrifice* was, but frequented onely [b] *Atrium populi*, the outward Court from the Temple. For into this onely the [c] people resorted, to worship, pray, and hear the word of God expounded, not pressing farther towards the Temple; and in the middest

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* Numb. 18. 5. Hebr. 9. 2, 3, 4, 5. &c. *a* Christ came to fulfill the Law not to break it. Therefore (doubtlesse) he observed the rules thereof, and the quality of his Tribe.

*b* See the form of the Temple in *Arias Montan. Antiquit. Judaic. l. Ariel.* and in the *Geneva* Bible, 1 *King. cap.* 6. and mark well both it, and the notes upon it; for I find them (above others) most agreeable to the Scriptures: and rely not upon the figure of the Temple in *Adricomius* without good examination; for I perceive he hath misplaced some things therein. *c* See the note (a) among the notes aforesaid.

where-

whereof the Brasen * Stage (which *Solomon* prayed upon) was erected. Yet this very place, this court, or outward yard, would not our Saviour permit to be prophaned, neither with Market matters, nor with carrying so much as a burthen or vessel through it, *Mar.* 11. 16. For though it were not so *Levitically* holy, as the Temple, yet it was dedicated to God with the Temple, and taken often in the new Testament for the Temple: as in the places before alledged, and *Acts* 3. 2, 3. By which reason the very Church-yards themselves (being dedicated with the Churches, and the principal soil thereof, [a] as an old Statute witnesseth) seem also to have in them a certain kind of *Sanctification*, and are not therefore to be abused to secular and base employments; as not onely the Antient Fathers, by the Canons of the Church, but the present Laws of the Land have well provided for them.

10. But some will say, that the *sanctification* of the Temple was *Levitical*, and therefore abolished, and not to be applied to our Churches. I answer, the Temple was sanctified unto *three functions*, which also had *three* several places assigned to them. The *first*, belonged to the *Divine pre-*

* 2 Chron. 16. 13. a *Stat. Ne Rectores prosternant arbores in Cœmiterio.* † More of the matter, and how far the sanctification of the Temple is abolished, or remaineth to our Churches.

*sence,*

sence, and had the custody of the *Holiest Types* thereof, the *Oracle*, the *Ark*, the *Mercy-seat*, &c. and was therefore called *Sanctum Sanctorum*, or the *Holiest of all*. The *second*, was for *ceremonial worship* and *attonement*: namely, by sacrifice, oblations, and other *Levitical* rites; the place thereof being the *Sanctuary*, (wherein were the *Holy vessels*,) and the Court of Priests, wherein the Altar of burnt sacrifice did stand. The *third*, was for simple worship, prayer, and doctrine, (without any pomp or ceremony:) and the place of this was the *outward Court*, (called, [a] *Atrium populi*, and [b] *Solomon's porch*,) which therefore had in it no *Ceremonial* implement at all.

The *two* first of these Functions, with the places belonging to them, were indeed particularly appropriat to the Law. For they were *Ceremonial*, *Mystical*, *Secret*, *Levitical*, *Judaical*, & *Temporal*. *Ceromonial*, as celebrated with much worldly pomp. *Mystical*, as figurating some spiritual things. *Secret*, as either performed behind the Veile or Curtain, or else sequestred and remote from the people. *Levitical*, as committed onely to the administration of that *Tribe*. *Judaical*, as ordained onely for the salvation of that people. And *Temporal*, as instituted onely for a season, and not to continue. But the *Sanctification* of the third

[a] 1 Chr. 4. 9. & 6. 12. [b] Acts 3. 11.

*function*, and of the place thereto appointed, was directly contrary in all the points alleadged to the former two. *First* (as I said before) it was for *simple worship*, *Prayer*, and *Doctrine*, which were there to be performed and delivered in all *sincerity*, without any *ceremony* or *ceremonial* implement used therein. *Secondly*, there was no matter of *mystery* therein to be seen; but whatsoever was *mystical* in the Law, or the Prophets, was there expounded. *Thirdly*, nothing there was hidden or secret from the people; but acted wholy without the *Veile*, and publickly for every man. *Fourthly*, it was not appropriate to the *Levites*, but common alike to all the Tribes. *Fifthly*, not ordained for the *Jewes* particularly, but for all Nations in general. And *lastly*, not to endure for a time, (as those other two of the law) but to continue for ever, even after the *Gentiles* were called, as well as the *Jewes*: that is, during the time of the Gospel, as well as the Law. Therefore saith God, by *Isaias* the Prophet, *cap.* 56. 7. *My house shall be called an house of Prayer to all Nations.* He said not, *an House of Sacrifice to all Nations*: for the *Sacrifice* ended before the calling of the *Gentiles*, and so they could have no part thereof. Nor an *House of Prayer* for the *Jewes* onely, for then had the *Gentiles* (when they were called) been likewise excluded: But an *house of prayer to all Nations*, that is, *Jews* & *Gentiles* indifferently,

which

which therefore must have relation to the times of the *Gospel*: & consequently, the *sanctification* of that house, and of that *function*, is also a *sanctification* of the Churches of the Gospel.

We read not therefore, that Christ reformed any thing in the other two functions of the *Temple*, for they were now as at an end. But because this third Function was for ever to continue to his Church, therefore he purgeth it of that that prophaned it; restoreth it (as he did marriage) to the original sanctity: and that the future world (which was the time of the Gospel) might better observe it, then the precedent, and the time of the Law had done, he reporteth, & confirmeth the *decree*, whereby it was sanctified: *It is written* saith he, (as producing the record and words of the Foundation) *My House shall be called an house of prayer to all people.* He saith, *My house*, as excluding all other, from having any property therein; for God will be Joynt-tenant with no man. And it shall be, *An house of prayer for all people:* that is, publick for ever; not private, nor appropriate to any: not a *Den of thieves*, that is, no place of Merchandise, or secular businesse, as Saint *Hierome* expounded it. It must not be an Impropriation; no man can, or may hold it in that kind.

The time also when our Saviour pronounced these words, is much to the purpose, as it seemed

to me. For it was after he had turned out the oxen and doves, that is, the things for *Sacrifice*. As though he thereby taught us, that when the *Sacrifical* function of the Temple was ended, yet the *Sanctification* thereof, to be an house of prayer, for ever remained.

*Saint Paul maintaineth the reverence of the Church.*

11. This doctrine of our Saviour, is continued unto us by Saint *Paul*, who seeing the *Corinthians* to profane the Church with eating and drinking in it: though much good might follow thereby, (being orderly done,) as the increasing of amity, and the relief of the poor; yet because it was against the reverence of the place, he not onely reproveth them for it, demanding if they had not houses to eat and drink in at home, but scaring them also (by shewing the danger they were fallen into) he speaketh to them as with admiration, *Despise ye the Church of God?* * As if he should say, Is your Religion now come unto that? or, Is that your Religion, *to despise the place that God hath sanctified unto himself?* by making it, as St. *Hierome* saith, † *Triclinium epularum*, a banqueting house? God wondered in *Malachy*, that any should *spoil their gods*: And the holy Ghost here wondereth, that any should *despise the material Church*: for so Saint *Hierome* expoundeth it. Thus both of them wonder at one and the same thing, that any man should be so irreligious, as to profane the reve-

* 1 *Cor.* 11. 22. † *Comment. in* 1 *Cor.* 11.

rence due unto God, and that that is his.

12. So precise therefore were the Ancient Fathers in this point, that that meek Saint of God, Saint *Augustine*, would by no meanes endure that any should use any clamours, or dancing within the verge of the Church. Yea, he termeth them, * *Miserable and wretched men that did it:* And denounceth against them, that *If such came Christians to the Church, they went Pagans home.* But when the Church it self came to be abused, Oh, how Saint *Ambrose* taketh it, even against the Emperour himself, great *Valentinian*, that required it for an *Arrian*. *O* (saith he) *let him ask that is mine, my lands, my goods, and whatsoever I possesse, I will not deny them; yet are they not mine, but belong to the poor.* [a] *Verùm ea quæ divina sunt, &c.* saith he, *but those things that are Gods, are not subject to the authority of the Emperour. If my lands* (I say) *be desired, enter them a Gods name; if my body, I will carry it him; if he will have me to prison, yea unto death, it pleaseth me well, I will not defend my self with multitude of people, neither will I fly to the Altar, desiring my life, but with all my heart will die for the Altars.* And after, in speaking of the impious Souldiers: [b] *O that God* (saith he)

*The zeal of some of the Fathers to the Church.*

* *Serm. de temp. tom.* 10. 234. a *Ad Marcellinam sororem; Epist.* 33. b *In fine ejusdem Epist.*

*would turn their hands from violating the Church, and then let them turn all their weapons upon me, and take their fill of my blood.* And many such excellent speeches he hath for the sanctity of the Church, and of the reverence due unto it, in his Oration, *De Basilicis tradendis.*

My purpose is to be short; I will not therefore now enter any further into the authorites of the Fathers, or meddle with the Councels and ancient Canons of the Church, which abound so in this kind of zeal, & have established it (against the *Eustathians*, *Messalians*, and *Fratricelli*,[a] hereticks; and all other the enemies thereof) with so many examples, admonitions, exhortations, precepts, threatnings, curses, and excommunications, as it requireth a book alone to repeat them.

*Sacriledge not to be suffered in the least things.*

13. It seemeth a small thing to dance in the Church-yard, or to eat and drink in the Church. But *sanctification* (saith *Hierome*,[b] speaking on this matter) *consisteth also even in the small things.* Therefore *Ecclesiasticus*[c] adviseth us, that *we give not the water passage, no not in a little.* For he that openeth the waters but a little, knoweth not how great a breach they will make at length. So it is to make an entrance into sin, or to break

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a Heretieks which contemned Churches. b *Comment. in 2 Cor. 11. 22. tom. 9.* c *Eccles. 25. 27.*

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the reverence of holy things in trifles.

Therefore God punisheth severely the petty offenders in this kind: not *Corah* onely, and his company, that invaded the high function of the Priesthood, but even him that gathered the sticks on the sabbath day. *Num.* 15.32. And poor *Uzzah* himself, (whom *David* so much lamented) that did as it were but *stay the Ark* from shaking, (2 *Sam.* 6.6. and 1 *Chron.* 13.9.) and yet dyed for it, because his hand was not sanctified to that purpose.

14. I conclude this point with the saying of *Solomon*, *Prov.* 20.25. (and let all men consider it.) *It is a snare for a man to devoure that which is sanctified, and after the Vowes to enquire.* A Snare hath three properties. *First*, to catch suddenly. *Secondly*, to hold surely. *Thirdly*, to destroy certainly. So was *Uzzah* taken ere he was aware: he did but touch the *Ark*, and presently he was catch'd. King *Uzziah* did but meddle with the incense, and presently the *Leprosy was on his face*: 2 *Chron.* 26. 19. *Jeroboam* did but stretch out his hand against the Prophet, and presently it *withered*. 1 *King.* 13.4. And as a man falleth suddenly into it, so is it hard to get out. *Uzziah* died in it presently. *Uzziah* languished in it all his life, and then died in it also. *Corah*, *Dathan*, and *Abiram*, were no sooner caught in this snare,

*An admonition to them that meddle with holy things.*

snare, but it held them so surely, as when all *Israel* fled and escaped; they, and their companions (most miserable men) were detained in it, to their notorious destruction.

I might here take just occasion to remember what hath happened to many in this Kingdom, that became unfortunate after they medled with Churches, and Church-livings. But I will run into no particularities. Let those men, and those families, which are *unfortunate*, (as we term them,) consider, whether themselves, their Fathers, or some of their Ancestors, have not been fettered in this snare.

And let the *Proprietaries* of Parsonages also well consider these things. For if *Uzzah* died, that did but touch the Ark to save it, what shall become of them that stretch out their hands against Churches to destroy them? If the *stick-gatherer* was stoned for so small a prophanation of the *Sabbath*, what shall they look for, that by destroying the Churches, destroy also the Sabbath it self, (in a manner,) as taking away the place appointed to the publick sanctification thereof. And if *Corah*, *Dathan*, and *Abiram*, offended so haynously, in medling with the things of the Levitical Priesthood, though they imployed them to the service of God: what have they to fear, that usurp the things of the Gospel, and pervert them wholy to their own use, from the service of God?

God? Yea, that pollute his Churches and houses of prayer to servile and base offices; leaving the Parishioners uncertainly provided of divine service, to the destruction both of the Priesthood it selfe, and of the word of God in generall.

15. But they will comfort themselves *A surmise answered.* with this: that though the Churches be sanctified to some purpose, yet the sanctity thereof differeth from *Levitical sanctification*: and that God doth not now kill any from heaven, for prophaning the things of the Gospel, as he did then, for prophaning the things of the Law. I answer: The sanctity indeed of the one, differeth from the sanctity of the other. For the *Levitical* things were sanctified by the hand of man, to be a matter of Ceremony, but the Churches of the Gospell, are sanctified by our Saviour himselfe, to be houses of prayer. Not that prayer is to be used only in these places, but that these places are only to be used for prayer. And we must not presume that God sleepeth because he punisheth not (now as he did of old) the contemners of his worship. For as the law consisted in visible and temporall things, so the punishments therein, were for the most part, visible and temporall. But the Gospell concerneth things invisible, and eternall; and therefore the punishments assigned therein, are for the most part invisible & eternall.

16. They

*Another surmise answered.* 16. They have also another comfort, and that is, that though these things were once Spiritual, now they are made temporall by the Lawes of *Dissolution*; and especially by the *Stat. of* 32. *H.* 8. *cap.* 7. It is true, that those Statutes apply divers Law-termes unto these things that properly belong to temporall inheritances: and that the Statute of 32. *H.* 8. hath made them *demandable* by originall Writs, and hath given certain reall actions, and other courses for recovering and conveying of them in Temporall Courts: because Lay-men could not in former times have sued for things of this nature in any Court of the Kingdome. But this proveth *Dissero non assero.* not the things themselves to be therefore temporall, (no more then that an English man is a French man, because he faileth in a French bottom.) For upon the same reason the Statute giveth also other actions (for recovering of *tithes* and *offerings* witholden, *&c.*) in the *Courts spiritual*: They then that out of the one part of the *Statute* will have them temporall, are by the other part inforced to confesse them still Spirituall, and so to make them like a Centaure, *prolem biformem*. It were very hard (in my understanding) to ground a point of so great consequence, upon subtlety of words, and ambiguous implications, without any expresse letter of Law to that purpose, especially, to make the Houses

and

and offerings of God, *temporal* inheritances. But I see it is a Law question in my Lord [a] *Dier* whether *tithes* be made Lay or Temporal, by any word in those Statutes. And therefore I must leave this point to my Masters of the Law, who have the key of this knowledge only in their owne custody. Yet I thinke I may be so bold, as to say thus much out of their own [b] books, that *a Statute directly against the Law of God, is void.* If then *Tithes* be *things spiritual*, and due *de jure divino*, as many great [c] Clarks, Doctors, Fathers, some Councels, and (that ever honourable Judge and Oracle of Law) my Lord *Coke* himselfe, in *the second part of his* [d] *Reports* assume them to be; I cannot see how humane lawes should make them *Temporal*. Of the same nature therefore that originally they were of, of the same nature do I still hold them to continue: for *manente subjecto, manet consecratio, manet dedicatio. Time, Place,* and *Persons*, do not change them, as I take it, in this

a *Term. Pas. An. 7. Edw. 6. Assise fol. 83. b.*

b *Doct. & Stud. cap. 6.* c See *Aug. Ser. 219. de Temp. Hostiens.* and most Canonists. *Concil. Montisc. 2. cap. 50. Concil. Mogunt. cap. 38. alias 10, &c.*

d Dismes sont choses spirituall, and due, de jure divino. Le Evesque de Winch. case fol. 45.

case

case. [a] *Nebuchodonozor* took the holy vessels of the Temple, he carried them to *Babylon*, he kept them there all his life, and at last, left them to his son and grandchildren: but all this while, the vessels still remained *holy*. Yea though they were come into the hands of those that were not tyed to the Ceremonies of the Law; and at length into the hands of them that had them by a lawful succession from their Fathers, and Grandfathers: yet as soon as they began to abuse them to prophane uses; that very night *Belshazzar* himselfe died for it, the line of *Nebuchodonozor* (that tooke them from the Temple) was extinct, and the Kingdome translated to another Nation: *Dan.* 5. 2.

*A third surmise answered.*

17. Happily also, *Lay Appropriaries* comfort themselves, that they may hold these things by example of Colledges, Deanes, and Chapters, Bishops of the land, and of divers of our late Kings and Princes. Before I speak to this point, I take it by protestation, that I have no heart to make an Apology for it. For I

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a *Nescio quo fato fit; ut eadem temporis periodo (viz. an 68.) post erepta per Nebuc. & H. 8. res templorum, stirps utriusque regia extincta fit, imperium sublatum, & ad aliam gentem devolutum. ulterius igitur speremus, Cyrum nostrum Jacobum regem (qui sceptra dissidentia compescuit) restitutionis etiam munus aliquando aggressurum.*

wish

wish that every man might drink the water of his own well, eat the milk of his own flock, and live by the fruit of his own vineyard. I mean, that every member might attract no other nutriment, but that which is proper to it selfe. Yet are they greatly deceived, that draw any juice of encouragement from these examples. For all these are either the Seminaries of the Church, or the Husbandmen of the Church, or the Fathers and Nurses of the Church: all *de familia Ecclesiæ*; and consequently, belonging to the care of the Church, & ought therefore to be sustained by it: for St *Paul* saith, *He that provideth not for his own, and namely, for them of his house-hold, he denieth the faith, and is worse then an Infidell.* 1. *Tim.* 5. 8. [a] Therefore before the statutes of *suppression of Abbies*, those that were not meerly Ecclesiastical persons, yet if they were *mixt*, or had Ecclesiastical jurisdiction, they might by the Laws of the Land, participate Ecclesiastical livings, and [b] *Tithes* particularly. And this seemeeh to take some ground out of the word of God. For the provinciall *Le-*

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*a* All Church revenues were at first paid to Bishops, and by them distributed to the Priests, poor, *&c.* after the Bishops were to have a fourth part of all tithes. Per *Concil. Aurelian. Mogunt. Tribur. Hanet. &c. Et per Conc. Tarracon.* the third part. b *Plowd in Quare imp. Grend. L. Coke Report. part.* 5. *fol.* 15.

*vites*

vites (as I may term them) whom a *David* severed from the Temple, and placed abroad in the Country to be rulers of the People, *in matters pertaining to God, and the Kings businesse*, (that is, *Spiritually and Temporally*:) had their portions of *tithes* notwithstanding, as well as the other *Levites* that ministred in the Temple. Now, that the King is b *Persona mixta*, endowed as well with Ecclesiastical authority, as with temporal; is not only a sollid position of the common Law of the Land, but confirmed unto us by the continual practise of our ancient Kings, ever since, and before the Conquest, even in hottest times of Popish fervency. For this cause at their Coronations, they are not onely crowned with the Diadem of the Kingdome, and girt with a sword of Justice, to signifie their Temporal authority, but are anointed also with the c *oyle of Priesthood*, and clothed, *Stolâ Sacerdotali*, and veste d *Dalmaticâ*, to demonstrate this their

a 2. *Chr.* 26. 30. 32. b Se *Plowd. in Quar. imp. Gren. Et L. Coke de Jure Regis Eccles. part.* 5.

c *Reges sacro oleo uncti, sunt spiritualis jurisdictionis capaces* 3 2. *Ed.* 3. *tit. Aide de Roy* 103. *Ex Dom. Coke Repor. part.* 5. d *Dalmatica est vestis qua modo utuntur omnes diaconi ex consuetudine in solennitatibus; ut* 70 *distin. de jejunio. Antiquitus tamen, sine concessione Papæ, nec Episcopis, nec Diaconis licebat uti hac veste. Distinct.* 23. *cap. communis filius.*

Ecclesiasti-

Ecclesiasticall jurisdiction, whereby the King is said in the Law to be *Supremus Ordinarius*, and in regard thereof, amongst other Ecclesiasticall rights, and prerogatives belonging unto him, is to have all the [a] *Tithes* (through the Kingdome) in places that are out of any Parish, for some such there be, and namely, divers [b] Forrests. But for all this: O! that his Majesty would be pleased to remember *Sion* in this point.

18. * I grow too tedious, yet before I close up this discourse, let me say one thing more to the *Approprietaries* of Churches, that happily they hitherto have not dreamed of. And that is, that by having these Parsonages, they are charged with Cure of Souls, and make themselves subject to the Burthen that lieth so heavily upon the head of every Minister: to see the service of God performed, the people instructed, and the poor relieved. For to these three ends, and the maintenance of Ministers, were Parsonages instituted, as not only the Canons of the Church, but the bookes of the Law, and particularly, the Statutes of 15. *R.* 2. *cap.* 6. And 4. *H.* 4. *ca.* 12. do manifestly testifie. And no man may have them but to these

a 22. *Edw* 3. *lib. Assis. plac.* 75. *L. Coke par.* 5. *fol.* 15. *a.*

b As *Inglewood. &c. ut patet an.* 18. *Edw.* 1. *inter petitiones coram domino Rege ad Parliamentum.*

* The danger that Proprietaries of Parsonages stand in,

purpo-

purpoſes; neither were they otherwiſe in the hands of Monaſtical perſons, nor otherwiſe given to the King by the ſtatute of diſſolution, then [a] *in as large and ample manner as the governours of thoſe Religious houſes had them*, nor by him conveyed otherwiſe to the Subjects. For, [b] *Nemo poteſt plus juris in alium transferre, quam ipſe habet: No man may grant a greater right unto another, then he hath himſelfe.* And therefore go where they will, *tranſeunt cum onere*, they carry their charge with them. Upon theſe reaſons *Priprietaries* are ſtill ſaid to be Parſons of their Churches, and upon the matter, are as the incumbents [c] thereof, and the Churches by reaſon of this their incumbency, are full, and not void. For otherwiſe the [d] Biſhop

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*a* See the extent of theſe words in L. *Coke part.* 2. *fol.* 49. And note alſo that Parſonages appropriat, are not mentioned in that Statute of 27. *H.* 8. and the word *Tithes*, there ſeemeth to be meant of *tithes* belonging to the bodies of the Monaſteries; not of Parſonage *tithes*. *Ideo quære* how the King had them before the Statute of 31. *Regni ſui*. *b Parſon imperſonee*. *c* For the Monaſtical perſons and Prioreſſes themſelves that could not perform the divine ſervice, were notwithſtanding the Incumbents of their Churches: and ſay Approprietaries claiming under their right ought alſo to be ſubject to the ſame burthens. *d* There is yet no expreſſe law made to take away the Biſhops juriſdictions over Churches appropriate, (that I can find.) *Ideo quære* how it extendeth.

might

might collate, or the King present a Clarke (as to other Churches) as it seemeth by the arguments of the Judges in the case between *Grendon* and the Bishop of *Lincolne* in Master *Plowden's Comment*, where is also shewed, that the incumbency is a * spiritual function, and ought not to be conferred upon any but spiritual persons, and such as may themselves do the divine Service, and minister the Sacraments. Therefore *Dier*, L. Chiefe Justice of the Common Pleas, there said, that *it was an horrible thing*, when these Appropriations were made to Prioresles and houses of Nunnes, because that (although they were religious persons, yet) they could not minister the Sacraments and divine Service. Implying by this speech of his, that it was much more *horrible* for Lay-men to hold them, that neither could do these holy rights, nor were so much as spiritual persons to give them colour for holding of spiritual things. Therefore he that inlarged the *Terms of Law* (first set forth by *John Rastall*) also termeth it a *Wicked thing*, complaining (in his time) that it continued so long, to the *Hindrance* (he saith) *of learning, the impoverishing of the Ministry, and to the infamy of the Gospel, and professors thereof.*

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* See *Dier. Trin.* 36. *H.* 8. *fol.* 58. *pl.* 8.

* Terms of the Law *in verbo Appropriation.*

Levesque de Winchesters case fol. 44. b.

My Lord *Coke* also in the second part of his *Reports*, saith, that it is recorded in History, that there were (amongst other) two grievious persecutions, the one, under *Dioclesian*, the other under *Julian*, named the Apostata: for it is recorded, that the [a] one of them intending to have rooted out all the Professors and Preachers of the word of God, *Occidit omnes Presbyteros*. But this notwithstanding, Religion flourished, for *Sanguis Martyrum est semen Ecclesiæ: The blood of the Martyrs is the seed of the Church*; and this was a cruell and grievous persecution, but the persecution under the [b] other, was more grievous and dangerous. *Quia* (as the History saith) *ipse occidit presbyterium, He destroyed the very order of Priesthood.* For he robbed the Church, and spoiled spiritual persons of their revenues, and tooke all things from them whereof they should live. And upon this, in short time, infued great ignorance of true religion, and the service of God, and thereby great decay of Christian profession. For none will apply themselves or their sons, or any other that they have in charge, to the study of Divinity, when after long and painefull study, they

a *Diocles. vide Eusob. hist. Eccles. lib. 7. cap. 3. Niceph. l. 7. cap. 3.*
b *Juli. vide Theod. hist. lib. 3. cap. 6. & Niceph. lib. 10. cap. 5.*

shall have nothing whereupon to live. Thus far my Lord *Coke*.

I alledge these legall authorities, and leave Divinity, because the *Appropriataries* of Parsonages (which shield themselves under the target of the Law) may see the opinion of the great Lawyers of our own time and Religion and what the books of the Law have of this matter, to the end, that we should not hang our consciences upon so dangerous a pinne, nor put too great confidence in the equity of Lawes, which we dayly see, are full of imperfection, often amended, often altered, and often repealed. O! how lamentable then is the case of a poor *Proprietary*, that dying, thinketh of no other account, but of that touching his *Lay vocation*, and then coming before the judgment seat of Almighty God, must answer also for this [a] *spiritual function*. First why he medled with it, not being called unto it: Then, why (* medling

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a It is said in my L. *Dier*, in the case of a common person, that the service or a Cure is a spiritual administration, and cannot be leased, and that the service is not issuing out of the parsonage, but annext unto the person 36. *H.* 8. *fol.* 58. *b. pla* 8. * Proprietaries which have Vicars endowed think themselves, thereby discharged, but though the Vicar be the Parsons deputy to do the divine Service, yet a superiour care thereof resteth still upon the Parson himself, & the surplusage of the profits belongeth to the poor, as appeareth by the whole body of Fathers, Doctors, Councels, *&c.*

with it) he did not the duty that belonged unto it, in ſeeing the Church carefully ſerved, the Miniſters thereof ſufficiently maintained, & the poor of the Pariſh faithfully reliev'd. This I ſay, is the uſe where to Parſonages were given, and of this uſe we had notice before we purchaſed them: and therefore, not only by the lawes of God and the Church, but by the law of the Land, and the rules of the Chancery (at this day obſerved in other caſes) we ought only to hold them to this uſe, and no other.

19. † It is not then a work of bounty & benevolence to reſtore theſe appropriations to the Church, but of duty & neceſſity ſo to do; it is a work of duty to give that *unto God that is Gods*, *Matt.* 22. 2. And it is a work of neceſſity towards the obtaining remiſſion of theſe ſins. For Saint *Auguſtine* ſaith, [a] *Nõ remittetur peccatũ, niſi reſtituatur ablatũ cũ reſtitui poteſt: The ſin ſhall not be forgiven, without reſtoring of that which is taken away, if it may be reſtored.*

It is duty, juſtice, and neceſſity, to give them back unto God. For if *Judas* (who was the firſt preſident of this ſin) were a theiſe as the holy Ghoſt [b] termeth him, for imbeaſiling that which was committed unto him for the maintenance of Chriſt and his Diſciples, that is of the Church: by the ſame reaſon, muſt it alſo be theevery to withhold theſe things which were given for the main-

† That it is not benveolence but duty to reſtore the Church-livings. a *Ad Macedonium Epiſt.* 54. *tom.* 2. b *Joh.* 12. 6.

tenance

tenance of the Church and Ministers of Christ. And herein it is a degree above that sin of *Judas*, as robbery is above theft, for *Judas* onely detained the money (delivered unto him) closely and secretly, but we & our fathers, have invaded Church livings, and taken them (as it were by assault) even from the sacred body and person of the Church.

It is a great sin to steal from our Neighbour; much greater (even sacriledge) to steal from God. If it were so heinous a fact in *Ananias* to withold part of his own goods, which he pretended he would give unto God, how much more is it in us, presumptuously to reave that from God, that others have already dedicated and delivered unto him. *Solomon* saith, [a] *He that robbeth his Father and his Mother, and saith it is no sin, is the companion of* [a murtherer, or] *him that destroieth.* But he that purloineth the things of God, robbeth his Father, and he that purloineth the things of the Church, robbeth his Mother. And therefore that man is a companion of the destroyer.

The * Fathers, Doctors, many great Councels, and ancient Laws of the Church, command that things taken from the Church, should be restored.

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a Prov. 28. 24. * *Synod. 5. Rom. 218. Episcop. An 503. Conc. Val. An. 855. ca. 9. Con. Rom. 100 Episc. An. 1063. Conc. Rom. 5. Anno 1078. Conc. Palem. An. 1388. Conc. Oxon. Gene. Aug. Anno 1222.*

And the Church by her [a] Preachers and Ministers continually entreateth, urgeth, and requireth all men to do it. They therefore that do it not, they refuse to hear the Church: And then our Saviour Christ, by his own mouth, denounceth them [b] to be as Heathens and Publicans, that is, excommunicate and prophane persons. *If he refuseth* (saith our Saviour) *to hear the Church also, let him be unto thee as a heathen man, and a publican. Mat.* 18.17.

It is a fearful thing not to hear the [c] Church, but much more, not to hear Christ himself: Christ hath given us a perpetual law & Commandment, touching things belonging to God, *That we should give them to God.* If we break this Law, we break a greater Law then that of the *Medes*, and the [d] *Persians*: and therefore mark what the holy Ghost concludeth upon us; *Every person that shall not hear this Prophet* (Christ Jesus) *shall be destroyed out of the people. Act.* 3.23.

The conclusion.

20. To conclude then, as the *Philistins* made hast to send home the [e] Arke of God, and the *Ægiptians* to ridde them-

a A strange change; the *Israelites* gave their own goods so abundantly to the service of God, that *Moses* was forced to restrain them by proclamation. *Exod.* 36.5. but now nothing can move us to give God that which is his already.

b *Qui sub nomine fidelium, agunt opera infidelium. Hieron. ibid.*

c We think the Church doth not command it, till we make a Parliament law for it, but the law is made already by Christ himself. d *Dan.* 6.15. e 1 *Sam.* 5.11.

selves of the [a]people of God: so let us ply our selves to render unto God his Lands & Possessions with all speed. Otherwise, as he struck the *Philistins* with *Emrods* secretly, and the *Ægyptians* with manifold scourges openly; so only himselfe knoweth what he determined against us.

And thus I end, with the saying of the blessed Saint *Cyprian*[b], *Nec teneri jam, nec amare Patrimonium debet, quo quis & deceptus & victus est.* *We must now neither hold that Patrimony, or living, (no) nor so much as take pleasure therein, whereby a man is entrapped and brought to destruction.* And with that other of the noble Saint *Augustine*[c]; *With what face canst thou expect an inheritance from Christ in Heaven, that defraudest Christ in thy inheritance here on Earth? Therefore*

[d] Give unto *Cæsar* the things that are *Cæsars*, and unto God the things that are Gods.

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a *Exod.* 12. 31. b *Cypr. Ser.* 5. *de lap. in fine.*
c *Lib. de Her. cit. per Isid.* d *Mar.* 12. 17.

*FINIS.*

## An EPILOGUE.

*PArdon me good Reader, though I have neither* satisfied *thee, nor my self, in this little discourse. It is hard to bring a great vessel into a small creek, an argument of many heads and branches, of much weight, variety, and difficulty, into a few pages. It may be thou thinkest the volume bigge enough for the success, that Books of this nature are like to have. I reject not thy judgment, yet would I not have others thereby discouraged from pursuing this* cause: *for though* Peter *fished all night and got nothing, yet he made a great draught unlooked for in the morning. He that directed that net, give a blessing to all our labours. For my own part (if I catch but one fish) I shall think mine well bestowed. However, it shall content me, and I thank God for it, that he hath girded me with so much strength as to strike one stroke (though a weak one) in his battel and to cast one stone (though a small one) against the adversaries of his Church.*

*Some will say, I have used too much salt and vineger in this discourse, and that I have bent the great Artillery of Gods judgments and threatnings, upon*

† Luke 5.5,6.

*a piece of too light importance. I would the consciences of men were such, as oyl and butter might supple them. But I see they are for the most part overgrown with so hard a* carnosity, *as it requireth strong and potent corrosives to make an entrance into them. A Preacher may shake them now and then with a Sermon, as* [a]Paul *did* Felix, *but when the thunder and lightning are ceased, they are (like* Pharaoh) *still where they were. Yea some have* conscientias cauteriatas, *as the* [b] *Apostle termeth them, consciences* seared with an hot iron: *so stupified, that dead* Lazarus *may be raised, before they can be moved. But God knoweth the heart of man, and bringeth water out of the hard rock; therefore though I have spoken this (as being jealous of the* cause) *yet in charity I will hope better even of the hardest of them. Onely let no man think it a light sin, to keep open the passage, whereby the wild* [c] *bore (of* Barbarism) *enters the Lords vineyard, and whereby God is deprived of the honour due to his name.*

*Now at the parting, it may be thou desirest to know what successe this my labour had with the* Gentleman *to whom I sent it. In truth, neither that I desired, nor that which I promised unto my self. For (so it pleased God) that even the very day* [d] *the messenger brought it into* Norfolk, *the party died. Other-*

a *Act.* 24. 26. b 1 *Tim.* 4. 2. c *Psal.* 80. 13. *Ps.* 96. d August. 16. 1613.

*wise*

wise I well hoped, not to have shot this arrow in vain. But because it then missed the mark at which it was sent, (and many thought not fit to loose it,) I have now let it fly at random with some Notes and alterations, as the difference between priuate and publik things requireth: but still desiring that I might farther have shewed my mind in many passages hereof, (and particularly touching Tithes in quoto, and such Parsonages as have Vicarages well endowed) which, without making it almost a new work, I could not do: and therefore resting upon thy courteous interpretation, I leave it to thee (for this time) as it is.

A SER-

# A SERMON of Saint *AVGVSTINES*, touching rendring of Tithes.

*The occasion of this Sermon or Homily was ministred unto him by the time of the year, it being the* 12th. *Sunday after* Trinity, *that is about the beginning of Harvest. The Scripture that he fitteth unto it is the* 18 *of* Luke. *Where the* Pharisee *boasteth of his precise justice in payment of* Tithes. *It is* 219 *Sermon* de Tempore, *extant in the tenth tome of his works, and there entituled,*

*De reddendis Decimis.*

BY the mercy of Christ (*most beloved brethren*) the dayes are now at hand, wherein we are to reap the fruits of the earth: and therefore giving thanks to God that bestoweth them, let us be mindful to offer, or rather to render back unto him the Tithes thereof. For God that vouchsafeth to give us the whole, vouchsafeth also to require back again the Tenth, not for his own, but for our benefit doubtlesse. For so hath he promised by his Prophet, saing,

Dist. 16 quæst. 1. cap. Decima. Where you may see a great part of this Sermon cited for *Augustines*.

saying, [a] *Bring all the Tithe into my Barnes, that there may be meat in my house, and trie me, saith the Lord, in this point, if I open not the windows of heaven unto you, and give you fruit without measure.* Lo, we have proved how *Tithes* are more profitable unto us, then to God. *O foolish men!* What hurt doth God command, that he should not deserve to be heard? For he saith thus: *The first Fruits of thy threshing floor, and of thy Wine-presse thou shalt not delay to offer unto me.* [b] If it be a sin, to delay the giving, how much worse is it not to give at all? And again he saith, *Honour thy Lord thy God with thy just labours, and offer unto him of the fruits of thy rightoousnesse, that thy barnes may be filled with wheat, and thy Presses abound with wine.* [c] Thou doest not this for Gods *ha' mercy*, that by & by shalt receive it again with manifold increase. Perhaps thou wilt ask, who shall have profit by that, which God receiveth, to give presently back again? And also thou wilt ask, who shall have profit by that which is given to the poor? If thou believest, thy self shall have profit by it; but if thou doubtest, then thou hast lost it.

16. Quæst. 1. ca. decimæ.

Tithes (*dear Brethren*) are a *tribute* due unto the *needy souls*. Give therefore this *tribute* unto the *poor*, offer this sacrifice unto the *Priests*. If thou hast no *Tithes* of earthly Fruits, yet what-

a *Mala.*3.10. b *Exod.*22.29. c *Prov.*3.9.

soever

ſoever the Husbandman hath, whatſoever Art ſuſtaineth thee, it is Gods, and he requires *Tithe*, out of whatſoever thou liveſt by; whether it be Warfare, or Traffick, or any other Trade, give him the *Tithe*. Some things we muſt pay for the ground we live on, and ſomething for the uſe of our life it ſelf. Yeeld it therefore unto him (*O man*) in regard of that which thou poſſeſſeſt; yeild it I ſay, unto him, becauſe he hath given thee thy birth: for thus ſaith the Lord, [a] *Every man ſhall give the redemption of his ſoul, and there ſhall not be amongſt them any diſeaſes or miſhaps.* Behold, thou haſt in the holy Scripture the *cautions* of the Lord, upon which he hath promiſed thee, that if thou give him thy *Tithe*, thou ſhalt not onely receive abundance of Fruits, but health alſo of Body. *Thy Barnes* (ſaith he) *ſhall be filled with wheat, and thy preſſes ſhall abound with wine, and there ſhall be in them neither diſeaſes, nor miſhaps*[b]. Seeing then, by payment of *Tithes*, thou mayeſt gain to thy ſelf both earthly and heavenly rewards, why doeſt thou defraud thy ſelf of both theſe bleſſings together? Hear therefore (*O thou zealleſs mortality*) Thou knoweſt, that all things that thou uſeſt are the Lords, and canſt thou find in thy heart, to lend him (that made all things) nothing back of his own? The Lord God needeth not any thing, neither de- 16. *Quæſt.* 1. *ca. decimæ.*

a *Exod.* 30. 12. b *Prov.* 3. 10.

mandeth

mandeth he a reward of thee, but honour; he urgeth thee not to render any thing that is thine, and not his. It pleaseth him to require the *first-fruits*, and the *Tithes* of thy goods, and canst thou deny them, (*O covetous wretch?*) What wouldst thou do, if he took all the *nine* parts to himself, and left thee the *tenth* onely? And this in truth he doth, when by withholding his blessing of rain, the drought maketh thy thirsty Harvest to wither away: and when thy fruit, and thy vineyard are strucken with hail, or blasted with frost, where now is the plenty, that thou so covetously didst reckon upon? The *nine* parts are taken from thee, because thou wouldst not give him the *Tenth*. That remaines onely that thou refusest to give, though the Lord required it. For this is a most just course, that the Lord holdeth, *If thou wilt not give him the tenth, he will turn thee to the tenth.* For it is writtten, saith the Lord, *Insomuch as the Tithe of your ground, the first fruits of your Land are with you: I have seen it, but you thought to deceive me: havock and spoil shall be in your Treasury, and in your houses.* Thus thou shalt give that to the unmerciful Souldier, which thou wouldest not give to the Priest.

16. Quæst. 1. ca. decimæ.

The Lord Almighty also saith, †*Turn unto me, that I may open unto you the windows of Heaven,*

† Mal. 3. 10.

and

*and that I may pour down my blessing upon you, and I will not destroy the fruit of your Land, neither shall the vines of your field,* [or the Trees of your Orchards] *wither away,* [or be blasted,] *and all nations shall say, that you are a blessed people.* God is alwaies ready to give his blessings, but the perverseness of man alwaies hindreth him. For he would have God give him all things, and he will offer unto God nothing of that, whereof himself seemeth to be the owner. [a] What if God should say? The man that I made is mine, the ground that thou tillest, is mine, the seed that thou soweest, is mine, the cattel that thou wearyest in thy work, are mine, the showers, the rain, and the gentle winds are mine, the heat of the Sun is mine, and since all the Elements, whereby thou livest, are mine, thou that lendest onely thy hand, deservest onely the *tithe*, or *tenth* part. Yet because Almighty God doth mercifully feed us, he bestoweth upon the labourer a most liberal reward for his pains, and reserving onely the *tenth* part unto himself, hath forgiven us all the rest.

*Ingrateful and perfidious deceiver*, I speak to thee in the word of the Lord. Behold the year is now ended: give unto the Lord (that giveth the rain) his reward. Redeem thy self, O

[a] This place is cited as out of *Aug. Conf. Triburiens. c.* 13. *An.* 895. and before that *in concil. Mogunt. pri. c.* 8. *An.* 874.

Man

Man, whilst thou livest. Redeem thou thy self whilst thou mayest. Redeem thy self (I say) whilest thou hast wherewith in thy hands. Redeem thy self, lest if greedy death prevent thee, thou then loose both life and reward together. Thou hast no reason to commit this matter over to thy wife, who happily will have another Husband. Neither hast thou (O woman) any reason to leave this to thy Husband, for his mind is on another wife. It is in vain to tie thy Parents, or thy kinsfolk, to have care hereof: no man after thy death surely shall redeem thee because in thy life thou wouldst not redeem thy self. Now then, cast the burthen of *covetousnesse* from thy shoulders, despise that cruell *Lady*, who pressing thee down with her intolerable yoak, suffereth thee not to receive the yoak of Christ. For as the yoak of *covetousness* presseth men down unto hell, so the yoak of Christ raiseth men up unto Heaven. For *tithes* are required as a debt, and he that will not give them, invadeth another mans goods. And let him look to it, for how many men soever die for hunger in the place where he liveth, (not paying his *Tithes*,) of the murthering of so many men shall he appear guilty before the tribunal seat of the eternal Judge, because he kept that back to his own use, that was committed to him by the Lord for the *Poor*.

16. *Quæst.* 1. *ca. decimæ.*

He

He therefore that either desireth to gain a reward, or to [a] obtain a remission of his sins, let him pay his *Tithe*, and be careful to give almes to the *poor* out of the other nine parts: but so notwithstanding, that whatsoever remaineth over and above moderate diet, and convenient apparrel, be not bestowed in riot and carnal pleasure, but layed up in the treasury of Heaven, by way of *Almes* to the *poor*. For whatsoever God hath given unto us more then we have need of, he hath not given it unto us particularly, but hath committed it over unto us to be distributed unto others: which if we dispose not accordingly, we spoile and rob them thereof. *Thus farre saint Augustine.*

ERasmus in a general censure of these Sermons *de Tempore*, noteth many of them not to be Saint *Augustines*. So also doth Master *Perkins*, and divers other learned men, who having examined them all particularly, and with great advisement, rejecting those that appeared to be adulterate or suspected, admit this nothwithstanding as undoubted. And although *Bellarmine* seemeth to make a little question [b] of it, yet he concludeth it to be, without doubt, an excellent work; and either Saint *Augustines* own, or some other ancient

a Promereri. b *Fortè non est Augustini iste sermo, tamen insignis est sine dubio, & antiqui alicujus patris, nam inde tanquam ex Augustino multa sunt adscripta in decret. 16. q. 1. Bellarm. lib. de clericis. cap. 25.*

Fathers. But he saith, that many things *are cited out of it as out of Augustine in Decret.* 16 *q.* 1. And to clear the matter farther, I find that some parts hereof are alleadged under the name of *Augustine, in Concil. Triburiens.* (which was in the year of our Lord 895.) *cap.* 13. And twenty year before that also, *in Concil. Moguntin.* 1. *cap.* 8. So that Antiquity it self, and diverse Councels, accept it for *Augustines.*

I will not recite a great discourse to the effects of this Sermon amongst the works of *Augustine* in the Treatise, *De rectitudine Christianæ religionis*; because *Erasmus* judgeth that Treatise not to be *Augustines.* Yet seemeth it likewise to be some excellent mans, and of great antiquity. But if thou wouldst hear more what *Augustine* saith unto thee of this matter, take this for a farewell; *Majores* nostri ideo copiis omnibus abundabant, quia Deo decimas dabant & Cæsari censum reddebant: modo autem quia discessit devotio Dei, accessit* indictio fisci. *Noluimus partiri cum Deo decimas, modò autem totum tollitur. Hoc tollit* fiscus, *quod non accipit Christus.*

## An Appendix by the Author.

I *Have been often sollicited within these two years, both to reimprint this little Treatise, and also to*

* *Homil.* 48. *ex lib.* 50.

*publish a greater work much of the same Argument. Some especial reasons have made me unwilling to do either. Not that I do* aut clypeum abjicere, aut causam deserere; *But I find my Arme too feeble for so great an attempt: and in matters of such weight and consequence, a better opportunitie is to be expected, then is yet afforded. I desire therefore not to be hastned herein, though he that published my book in* Scotland (*out of his zeal to the cause*) *taketh that for one of his* *Motives. *When I first did let it goe forth, I did it onely in covert manner, not thinking it worthie of the broad eye of the World, nor holding it fit to have that which was done in a corner,* preached upon the house top; *or that which passed privately between me and my friend, to flie* (*in this sort, at once*) *to both the* Poles *of the* Monarchy. *Hereupon I hitherto by entreatie with-held it from a Reimpression. But I being in the Countrey, and* it *being now to me as* filius emancipatus, *and out of my power, the Printer hath taken advantage of his libertie, and in my absence printed it again with the former infirmities.*

*I wish, since it must needs be thus, that I had overrun it with a new hand, aswell to explain it in some things, as to help and fortifie it in other. For the Argument hath many Adversaries, not of the* Laity *onely, but amongst the* Churchmen *themselves. All are not pleased with this forme of* † Maintenance, *others are not satisfied how it is due. Some*

* *In his Epistle Dedicatory.* † *Tithes.*

*alſo conceive Scriptures in this manner, ſome in that: & where one is beſt pleaſed, there another findeth moſt exception. Thus he that cometh upon the Stage, is the Object and ſubject of every mans opinion. Yet muſt I herein confeſſe my ſelf beholding unto many: for I underſtand that this ſmall Eſſay hath given them good liking.*

*To ſatisfie all I labour not, but to the worthier ſort I would perform what I could. Being therefore enformed (about a year almoſt ſince) that ſome particular Divines of learning & judgment, (conceiving well of my book) ſuppoſed that I had departed from the ancient & modern interpreters, in applying the 12. ver. of the 83. Pſ.* onely to the ſanctified things of the Jewes, which (they ſaid) was ſpoken of all their houſes & cities in general. *I did then unto them (as I thought it fit)* reddere rationem & fidei & facti. *And in like manner (becauſe the book goeth forth again upon a new adventure, & may encounter with the like objections,) I held it now as neceſſary to adde ſomething unto it in that point being ſo material. Yet muſt I ſignifie unto you, that they which took that exception, accounted both my argument and whole diſcourſe the ſtronger (notwithſtanding)* ex conſequente: *as namely, that if it were ſo heinous a ſin to invade the temporal things of the Jewes, much more muſt it needs be to invade the ſpiritual. So that no man is either freed or eaſed by this ſuggeſtion, but rather the more enſnared and overwhelmed*

*ed. Nevertheless (I understand) that which followeth, hath cleared this point unto them: and I hope so shall it also do unto others (which separate not themselves from our Churches) if cause require.*

I Am not ignorant that many modern and some Ancient Interpreters, understand the body of the 83. *Psalm.* of the taking of the *houses* and *Cities* of the *Jewes* in general, not onely of the *Temple* and *Synagogues*, nor onely of the Cities of the *Levites*; for the very *historical* texture of the *Psalm* discovers as much: But that branch of it, whereon I fastned my Anchor, and where I chiefly insisted, namely the 12 *verse*, touching the *taking of the houses of God in possession*, (which indeed is the *center* of the Psalm, what interpretation soever it receiveth) most of them interpret it primarily and positively for the *Temple* and *Holy things*, then *per translationem* for *Hierusalem*, and by consequence, for all *Judea*, (and the people of God) in respect that they were there planted.

For though we following *Genebrard*, *Calvin*, & *Arias Montanus*, translate it literally, *Take the houses of God in possession*; yet the *Septuagint* and *Greeks* interpret it τὸ ἁγιασθέιον τῦ θεῦ. And *Hierom* in the Vulgar Latin accordingly, *Sanctuarium Dei*: in his other Translation called *Hebraica veritas*, (which also agreeth with that elder, cited by *Lucius* in the primer ages of the Church) *Pulchri-*

*tudinem Dei*, *Pellican electissima*, all of them by such denominations, as are most proper to the *Temple* and holy things. And therefore the Church in all former ages, and for the most part yet also beyond the Seas, even in the reformed parts of *Germany*, retaineth that interpretation of *Sanctuarium Dei*, as best agreeing with the intent of the *Hebrew*, which *Hierom* in the Preface to his Translation professeth confidently (by many witnesses) that he hath changed in nothing.

I alleadge all this, but to shew, that by what variety of words soever the Translators expres the original *Hebrew*, yet they all concurr with this as the Fountain and *standard*; that *primâ intentione*, it aimeth at holy things, though in *secundâ* it be carried unto temporal.

Our selves also in our own English Translation, understand the *houses of God*, for places dedicated to the service of God. And therefore in the 9. verse of the 74. Psalme, where our *Church Psalter* saith, *burnt up all the houses of God in the land*: the *Geneva* and the Kings Edition report it, *burnt up all the Synagogues of God in the Land*. So likewise in the 1. *verse* of the 84. Psalm *The dwellings of God* are expresly spoken of his *Tabernacles*, and holy Habitations, not of his *Temporal*.

Yet do I not deny, but (as I say) *secundâ intentione*, the words *Sanctuarium* or *houses of* God, in the 83. Psalm, are truly carried to all *Judea*, and the people

people of God, howbeit *Hierome* noteth expresly no such matter upon it; neither could *Augustine* find it in the literal or historical sense of the text, and therefore he deduceth it to the people of God by way of *Tropologie*, using the *metaphor* of Saint *Paul*, 1 *Cor.* 3. *Sanctuarium* (saith he) *Templum Dei sanctum est, quod estis vos.* And *Lyra* accordingly, *Sanctuarium, id est* (saith he) *Hierusalem, in qua erat Templum Dei; & per consequens, terram Judaeæ, cujus metropolis erat Hierusalem.*

*Arnobius* likewise of the Ancients taketh it first for the Temple and the holy vessels, then extensively for the people, and land of *Israel.* As for *Cyprian, Origen, Tertullian, Ambrose, Chrysostom, Gregory*, they meddle not with it, that I can find, nor *Hierome* otherwise then I have mentioned.

But admit that at this day most do expound it for the *temporalities* of the *Jewes*, as well as for their *Levitical* and *sanctified* things; What doth this contradict my application of this Psalm against *Spoilers* of Churches? or wherein is my errour? I affirm the *genus* of one of the *membra dividentia*, and they upon both. I upon one not *exclusive*, and they upon both *copulative*. Do not they then themselves affirm my assertion? Let *Schoolmen* be Judges. Yea, do they not justifie and enforce it? For if *God loveth the gates of Sion, more then all the dwellings of Jacob*, Psal. 87. 2. that is, the *outward* and *petty things* of his *Church*,

more then all the ſtately Temporalties of his *Lay-people*, yea, if he loveth *Jacob* but for *Sion*, that is, the *People* but for the *Church*, then *ex neceſſario conſequente*, when the *Prophet* denounceth ſuch heavy things againſt them, that menaced God's *Lay-people*, and their *poſſeſſions*, how much the rather doth he it againſt ſuch, as with great fury and impiety afflict his more peculiar and choſen ſervants, his *Temple*, his *Oracle*, his holy *myſteries*, that is, things belonging to his honour and divine ſervice; things, and means, ordained to the propagation of his bleſſed word? For this is the conſequence of deſtroying our Churches, this killeth the bird in the Shell; and to a perſon offending in this nature, wrot I my book.

By like reaſon it may alſo be ſaid, That this *Pſalm* was framed againſt Heathens and Infidels, (which in open hoſtility aſſailed the Church and people of God with fire and ſword) not againſt ſuch as be our own brethren, and of the family of the Church, though (in ſome ſort) they do injury unto it. I anſwer, that the *Ammonites*, and *Moabites* were alſo of the kindred of *Iſrael*: yea the *Edomites*, and *Iſmaelites*, of the lineage of *Abraham*, as well as the *Iſraelites* themſelves: yet when they joyned with them that ſought the deſtruction of the Church, the curſes of the *Prophet* went as freely and as fiercely againſt them, as the reſt. So if our Church be ſpoiled by her brethren, her children,

children, or kindred, the sentence is all one against them, as against Heathens and Infidels, yea, and that also more justly and deservedly by the judgment of the *Prophet*, who accounteth the treachery of a *familiar friend* much more intolerable, then the violence of an *open enemy*. *Psal.* 55.12.

But say I have erred, (which indeed is too common with me, though it be *humanum*) & doth the more easily befall me, having saluted the *School* of *Divinity* onely *à longè*, and *à limine*: I am therefore ready with *Augustine* to put it amongst my retractations, if there be cause why: yet, as he said of *Romulus*,

*Sed tamen errorem quo tueatur habet.*

For I am not the Author of this Exposition, neither is it my own weapon, but borrowed, and put into my hand by others of elder time. I confesse that as they which go to battel, *whet their swords*, and *bend their bowes*, so I sharpned both the edge and the point of it to my purpose. For all *spirits* are not cast out by ordinary power, nor all *humours* perswaded by ordinary reason. Knowing therefore what was necessary in particular for the party to whom I wrot, I applyed my self, and my pen to that particular necessity; yet, not with *Zedekiah*, to seduce him by untruths, but as a faithful *Michaiah*[a] to leave nothing untold, that belonged to his danger.

a 1 *Reg.* 22: 27.

See

See then what I have to defend my self withall, both of Ancient and later *Fathers* and *Doctors* of the Church. The first application (as I take it) that ever was made of this *Psalm*, was (onely to the purpose I alleadge it) by *Lucius* a devout Bishop of *Rome*, in the bloody age of the Primitive Church, about 225 years after Christ; of whom (to let passe *Cyprian*) *Bale*, a man of our own, giveth this testimony, [a] *That he was a faithful servant in the Lords house, —and enriched his Church with healthful doctrine, and afterwards being purified in the Lambs blood, he pierced the heavenlie Paradise. being put to death at Valentinian's commandement, Anno* 255. This *Lucius* (as I noted in the margent of my Book, *pag* 39.) in an *Epistle* of his to the Bishops of [b] *Gallia* and *Spain*, having determined many things touching the Church, & somewhat also against *spoilers* and *defrauders* thereof, (concluding them by the example of *Judas* to be *theeves* and *sacrilegious* persons) he proceedeth with them in this manner: *De talibus, id est* (saith he) *qui facultates Ecclesiæ rapiunt, fraudant, & auferunt; Dominus comminans omnibus per prophetam loquitur, dicens, Deus ne taceas tibi, ne sileas; &c.* Reciting the whole 83 *Psalm* every word, as you may see *tom.* 1. *concil.* of *Binius* edition. *pag.* 180. *col.* 2.

I took this reverend Father and great Doctor

a *Epist. l.* 3. *Epist.* 1. b *See here p.* 60.

of

of the Church, living in the purity of Religion, in the times of persecution, and so neer the ages of the Apostles, to be a faithful direction to my pen. Yet, least he should seem like a *Sparrow alone on the house top*, I will shew you the opinion of others in the after ages.

*Petrus Damianus* a *Cardinal*, whilst that title was rather a name of *Ministry* then of *Dignity*, and long before it became mounted and purpurate, a *star* of his time, now almost 600 years old, understandeth this *Psalm* also of Church *possessions*, and *dignities*, and out of it doth vehemently confute the Chaplains of Duke *Gothifred*, which held it no Simony to buy Bishopricks, and Priests places, so they paid nothing for the *imposition* of hands, (an opinion too common at this day,) and he applieth against them the interpretation of the names of the Heathen Princes there mentioned, and concludeth them there to be *hæreditario quodam jure Sanctuarii possessores*, as you may see in his *Speculo Mor. l.* 5. *Ep.* 13. *ad Capellan. Gothif.*

*Rupertus*, who flourished about 500 years since, expoundeth it *contra omnes Ecclesiæ hostes, falsos Christianos, hæreticos, &c.*

Great *Hugo Cardinalis*, the first *Postillator* of the Bible, (who flourished *Anno* 1240, a little also before that Order was distinguished with the *Horse* and *Red Hat*, and a man to whom all the Preachers of Christendom are more beholden, then

then many of them are aware: for much of that good juice, that ſweetneth the expoſitions they read, dropt from his pen, though now like rivers falling into other channels, it hath loſt his name) in his worthy Comment upon the *Pſalter*, applieth the words, *hæreditate poſſideamus ſanctuarium Dei*, againſt thoſe that ambitiouſly ſeek Church *livings* and dignities, deſpiſing the *curſes* of this *Pſalm*, as well among the great men of the Clergy, as them of the Laity, which by threatning or favour obtain Eccleſiaſtical Promotions: and particularly againſt ſuch men of the Church, as confer Prebends and Dignities upon their Nephews and kindred, *building* (as he ſaith) *Sion in* [their] *blood, and Jeruſalem in iniquity*. Neither ſpareth he the *Popes* themſelves, but chargeth them alſo that they *poſſeſs Gods ſanctuarie* by way of *inheritance*, in that they keep the ſucceſſion of the *Papacie* among ſuch as be onely of the *Roman nation*. And much more to this purpoſe, which were too long to recite: but (concluding that the Prophet hath levell'd at them all in this *Pſalm*) he ſaith, *De omnibus iſtis ſequitur, Deus meus pone eos ut rotam, &c*

*Joannes vitalis*, (who lived above 300 years ſince, and for his fame and learning was alſo called to be a *Cardinal*, ere that this dignity was at the higheſt pitch) vehemently enforceth this *Pſalm* againſt the *great men* that prey upon the Church, applying the interpretation of the names therein mentioned

mentioned very bitterly unto them. And said farther, that they possesse the *Sanctuarie of God by inheritance*, which enter into it unworthily, or in succession to their unckles, nephews, and parents, and they also which give Benefices in that manner, wasting thereby as it were Christs hereditary patrimony: with much more to this effect. *Speculo moral. tit. Principes sæculares. fol.* 229.d.

*Nicolaus de Lyra*, who flourished about the same time, our own country-man, (though of *Jewish parents*) a star also in that age of the first magnitude, for his learning; and exquisite above all in the *Hebrew*, (it being his mother-tongue, & elaborate by him) whose judgment I the rather esteem, for that *Luther* loved him, and preferred him above all interpreters, as *Luther* himself testifieth in the 2 and 9 *chap.* of *Genesis*. He (I say as before I have noted) expoundeth it, first, and properly for the *Temple* (under which I understand all things dedicated unto God,) then for *Jerusalem*, because (saith he) *the Temple was there*: and lastly by *consequence* (for that is his own word) *for the land of Judæa, whose chief City Jerusalem was*. So that he maketh the *Temple*, and things belonging to God, to be the main part whereat the Prophet aimeth, and the City and Country to follow but by inferente and implication.

Come to the later Writers. *Gentbrard* noteth upon

upon *Sanctuarium Dei*; that the *Hebrew* word is, *Habitacula*, and for the *postill*, saith, *Generaliter de divinis omnibus templis, urbibus, locis, & oppidis populi Dei.* So that if he had been questioned farther, how he understood *Habitacula*, *specialiter*, it is then like he would have answered, *de divinis omnibus templis tantùm*, that is, *only of Churches.* But be it as it is, he setteth them in the first place, as the proper signification; and the rest in consequence, as *analogical*, according to *Augustine*, and our Country-man *Lyranus.*

As for *Luther*, he expoundeth not this *Psalme* himself, that I can find; but you see what he attributeth to *Lyra*'s Judgment.

*Pellican*, a great *Hebritian*, translateth it *Possideamus nobis electissima Dei*, and expoundeth it in like manner as before, *Templum, civitatem, vasa, populum Dei.*

*Pomeranus* interpreteth it of them that did seek to make themselves Lords and heires of the Temple.

To conclude, because the newest things are most acceptable with many. The last man that hath written upon the *Psalter*, *Lorinus* a Jesuit, (and therefore I will not press his authority) yet to do him right, very well esteemed among great Clerks of our own Church for much good learning, (though in matters of controversy, full enough of Romish leaven,) reciteth somewhat more briefly

the

the former interpretations of *Petrus Damianus*, *Hugo Cardinalis*, and *John vitalis*, and approving those their applications, and putteth them still on into the world, as truly consonant to the tenor of the Psalm, which notwithstanding I doubt not hath also many other expositions, as herbs have usually diverse virtues and operations. But thus the eldest and newest expositors are wholly for me, many also (and the best of them) of the middle ages, none that I know against me. For although *Musculus*, *Bucer*, *Calvin*, *Marlorat*, *Mollerus*, expound this Psalm historically of the countrey and nation of the Jews, yet when they apply it to the Church of Christ, (as otherwise there were no use of it) they make that application by way of figure and *analogy*; and then is there no cause to raise an *antithesis*, or contrariety between them and me. For to reconcile the matter, Saint *Jerome* in his entrance into the exposition of this Psalme, telleth us, that we may expound it figuratively of the Church, (which I understand in matters of action, government, doctrine,) *or historically of the people of the Iews, and nations* about them. And though *Calvin* himself pursueth for the most part the historical interpretation, yet when he cometh to the 12 verse, he saith, *Iterum accusat profanos homines sacrilegii, quòd prædatoriâ licentiâ involant in ipsam Dei hæreditatem.*

Thus much, and too much touching this point.

As

As it is said in the end of the *Macchabees*: *If I have done well, and as the story required, it is the thing that I desired: but if I have spoken slenderly and barely, it is that I could.* Let no man therefore rely upon me, but learn of them that are bound to teach, for *the Priests lips should preserve knowledge, and they should seek the Law at his mouth, for he is the messenger of the Lord of Hosts.* Mal. 2. 7.

Other things there be, wherein I would willingly have enlarged my self a little: but as *Popilius* in *Livy*, describing a circle about *Antiochus*, enforc'd him to answer before he stept out of it; So the Printer (having printed all to the last sheet, before I knew it) restraineth me, *ad articulum temporis*, within which accordingly I must needs end.

FINIS.

UMI